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**“The anatomy of State cruelty”
Enforced disappearance and death in custody in Nicaragua**

Group of Human Rights Experts on Nicaragua*

* This conference room paper supplements the oral update of the Group of Human Rights Experts on Nicaragua presented to the Human Rights Council at its sixty-third session in accordance with resolution 58/18.

Executive summary

- i. This conference room paper presents the findings of the Group of Human Rights Experts on Nicaragua on the State's use of enforced disappearance and the deaths in custody of persons detained on political grounds, updating and deepening the Group's previous reporting on these serious human rights violations.
- ii. The Group has verified 161 cases of enforced disappearance of varying duration, ranging from a few days to several years, that have occurred since April 2018 and believes that the true number is certainly higher given the pervasive fear of retaliation and the near-total dismantling of independent civil society in the country. What began as shorter term disappearances used to punish detainees and intimidate their relatives has evolved, since 2023, into a strategic and recurrent practice of prolonged disappearance — lasting months or years — targeting an increasingly diverse range of victims, including religious leaders, Indigenous leaders, political opposition leaders and activists, dissident Sandinistas, and former State and military officials. The Group documents the recurring *modus operandi* behind these disappearances and finds reasonable grounds to believe that they have been sustained through the coordinated action of multiple State institutions, under a chain of command reaching senior levels of Government. Of these cases, 29 were ongoing as of 31 August 2026.
- iii. The paper further documents eight cases of individuals detained on political grounds who died in State custody after enduring inadequate medical care, unsanitary conditions and, in several cases, torture or other ill-treatment — Eddy Antonio Montes Praslin, Santos Sebastián Flores Castillo, Jorge Hugo Torres Jiménez, José Modesto Solís Aguilar, Humberto Ortega Saavedra, Mauricio Francisco Alonso Petri, Carlos Alberto Cárdenas Zepeda and Brooklyn Rivera Bryan. Their profiles illustrate how the systematic denial of adequate healthcare and humane conditions of detention, particularly for older detainees and those with chronic illnesses, has produced preventable deaths.
- iv. The paper examines in particular detail the death in custody of Brooklyn Rivera Bryan, a 73-year-old Miskito Indigenous leader, after close to three years of arbitrary detention, which included prolonged periods of enforced disappearance. This emblematic case is illustrative of the patterns documented throughout this paper and of their most severe consequences. Mr. Rivera was arrested because of his political advocacy and held *incommunicado* for long periods before his death was announced by the authorities on 31 May 2026. The Group's assessment including an independent medical review of the Government's own statements, found those statements mutually inconsistent, medically incoherent in critical respects, and shielded from verification by the absence of any independent investigation or autopsy — a case in which the presumption of State responsibility for a death in custody has gone entirely un rebutted.
- v. Based on these findings, the Group concludes that the practices of arbitrary detention, enforced disappearance, torture and related ill-treatment documented in this paper amount, *prima facie*, to the crimes against humanity of imprisonment, torture and other inhumane acts (enforced disappearance), and persecution on political grounds, committed as part of a widespread and systematic attack directed against the civilian population that began in 2018 and continues today. The Group calls on the Government of Nicaragua to immediately disclose the fate and whereabouts of all remaining disappeared persons, end the practice of *incommunicado* detention, release all persons detained on political grounds and ensure accountability for those responsible for these acts.

Contents

	<i>Page</i>
I. Introduction.....	5
A. Background.....	5
B. Mandate and methodology.....	5
II. A context of widespread arbitrary detentions.....	7
III. Enforced disappearance.....	9
A. Modus operandi	10
B. Profiles of the victims and illustrative cases	11
1. Concluded cases	12
a. Víctor Yovelni Ticay Ruíz	12
b. Freddy Antonio Quezada.....	13
c. Walner Omier Blandón Ochoa	14
d. Marisela de Fátima Mejía Ruíz	15
e. Carlos Alberto Bojorge Martínez	15
2. Ongoing enforced disappearances	16
a. Víctor Boitano Coleman.....	17
b. Eddie Moisés González Valdivia	17
c. Steadman Fagoth Müller	18
d. José Danilo Jirón Gudiel	19
e. Elvia Junieth Flores Castillo and two minor children.....	19
f. Larry Javier Martínez Romero.....	20
g. Carlos Ramón Brenes Sánchez and Salvadora del Socorro Martínez Aburto	20
h. Ricardo José Mendoza Yrigoyen.....	21
i. Claudia Magaly Munguía Mayorga	21
C. Chain of command.....	22
IV. Death in custody.....	23
A. Eddy Antonio Montes Praslin.....	24
B. Santos Sebastián Flores Castillo	25
C. Jorge Hugo Torres Jiménez	26
D. José Modesto Solis Aguilar	28
E. Humberto Ortega Saavedra.....	28
F. Mauricio Francisco Alonso Petri	30
G. Carlos Cárdenas Zepeda	31
V. The enforced disappearance and death in custody of Brooklyn Rivera Bryan.....	32
A. Context.....	32
B. Arbitrary arrest.....	33
C. Enforced disappearance	34
D. Death and ensuing incidents	36
E. Chain of command.....	38

	F. Human rights violations and State responsibility	39
VI.	Crimes against humanity	39
	A. Imprisonment.....	40
	B. Torture and other cruel, inhuman or degrading treatment or punishment.....	41
	C. Enforced disappearance (other inhumane act)	41
	D. Persecution on political grounds	42
VII.	Conclusions and recommendations	43
	A. Conclusions	43
	B. Recommendations.....	44
Annex I	Functional diagram: Enforced disappearance	47
Annex II	Functional diagram: Case of Brooklyn Rivera Bryan	47

I. Introduction

A. Background

1. Since its establishment in March 2022, the Group of Human Rights Experts on Nicaragua has published four reports¹ and nine supplementary documents² containing the findings and conclusions of its investigations. The Group is composed of Jan-Michael Simon (Chair), Ariela Peralta Distéfano and Reed Brody.

2. On 31 May 2026, the Nicaraguan authorities announced the death of prominent indigenous Miskito leader Brooklyn Rivera Bryan while in State custody, causing international outrage. Mr. Rivera died after over two and a half years of arbitrary detention, during which the authorities concealed his whereabouts for prolonged periods or greatly restricted contact with his family. His death highlighted the possible irreversible consequences of holding detainees incommunicado and outside effective independent oversight, as well as the grave risks faced by persons deprived of liberty on political grounds in Nicaragua. Mr. Rivera's death prompted this detailed examination of State actions and measures that have jeopardized political detainees' dignity, physical integrity and life.

3. The Group previously established that the arbitrary detention and unfair trial of real or perceived opponents, both men and women, constitute a pattern used by the authorities throughout the different phases of repression to quell and punish critical voices³ So far, it has verified 161 cases of arbitrary detention that occurred since April 2018 in which the authorities refused to acknowledge the detention of the victims or disclose their fate or whereabouts to relatives and legal representatives for periods ranging from several days to months or even years. These detentions constituted enforced disappearances.

4. The Group also concluded that, since 2023, enforced disappearance of several months or more has become an increasingly frequent and deliberate method of repression, used not only to silence dissent but also to instil fear among relatives and the population at large.⁴ It also determined that enforced disappearance and the human rights violations entailed have had specific impacts on women.⁵ Further, the Group found reasonable grounds to believe that enforced disappearances lasting several months or more were perpetrated as part of the widespread and systematic attack against the civilian population and constituted, *prima facie*, a crime against humanity ("other inhumane act").⁶

5. The present conference room paper showcases the findings of the Group on the use of enforced disappearance by the Government of Co-Presidents Daniel Ortega and Rosario Murillo to silence dissent and control the population. It provides an updated analysis of the *modus operandi*, chain of command and grave consequences of this particularly egregious pattern of violations. The paper further examines the deaths in custody of seven persons detained on political grounds, tracing the specific circumstances that led to each of these tragic outcomes. Finally, it turns in greater detail to the arrest, enforced disappearance and death of Brooklyn Rivera Bryan, the most recent and resonant case of death in custody, illustrative of the patterns documented throughout the Group's work.

B. Mandate and methodology

6. The Human Rights Council established the Group of Human Rights Experts on Nicaragua in 2022 to investigate all alleged human rights violations and abuses committed in the country since April 2018, including their gender dimensions, and provide guidance on

¹ A/HRC/52/63; A/HRC/55/27; A/HRC/58/26; and A/HRC/61/56.

² All documents are available at: www.ohchr.org/ghrenicaragua.

³ A/HRC/52/63, paras. 51 and 52; A/HRC/58/26, paras. 28-37; A/HRC/52/CRP.5, paras. 440-444, 986, 1041 and 1043; and A/HRC/58/CRP.8, paras. 441-496.

⁴ A/HRC/58/26, paras. 38-40; and A/HRC/58/CRP.8, paras. 497-513.

⁵ "Nicaragua: Repression through a gender lens – Women and human rights violations", 18 June 2026, paras. 59-65.

⁶ A/HRC/58/26, para. 89; and A/HRC/58/CRP.8, paras. 865-873.

justice and accountability. The Council also specifically requested the Group to identify, where possible, those responsible for these violations and abuses.⁷

7. To prepare this document, the Group reviewed and analysed relevant information and evidence contained in interviews conducted with victims, witnesses and other sources, including State officials, and in documents collected since the beginning of its mandate. Between February and August 2026, the Group conducted a further 63 interviews, specifically focused on cases of reported enforced disappearance and death in custody, and gathered over 250 new documents to complement and corroborate the information already available.⁸ The Group recalls that its findings are based on information provided by direct sources, especially the victims and witnesses interviewed, which is duly corroborated with other direct and indirect sources and documentary evidence.

8. The Group has prioritized strict respect for the principles of safety, confidentiality, informed consent and “do no harm” in the conduct of its investigations, particularly with regards to victims and witnesses in Nicaragua who are facing immense risks of State retaliation. It notes the legitimate – sometimes overwhelming – fear of reprisals prevailing among relatives of people deprived of their liberty on political grounds. As documented in previous reports, relatives of real or perceived opponents have increasingly been the target of a wide range of human rights violations, including harassment, threats, movement restrictions and arbitrary detention, by virtue of mere association.⁹ In this difficult context, the Group reiterates its appreciation to the persons interviewed for their contribution.

9. The Group conducts its investigations by applying the standard of proof of “reasonable grounds to believe”, as well as the methodologies and legal framework detailed in its previous reports.¹⁰ The standard of proof of “reasonable grounds to believe” is met when, on the basis of the verified body of factual information, an objective and reasonably prudent observer would have reasonable grounds to conclude that the facts occurred as described and, in formulating legal conclusions, that those facts meet all the elements of a violation or abuse.

10. On the legal framework specific to the issue of enforced disappearance, the Group recalls that Nicaragua is a State party to the International Covenant on Civil and Political Rights (hereinafter ICCPR) and the American Convention on Human Rights, as well as the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (hereinafter UNCAT). Although these instruments do not explicitly refer to enforced disappearances, they prohibit the violation of multiple rights affected when enforced disappearances occur, including the right to liberty and security, the right not to be subjected to torture and the right to recognition as a person before the law; enforced disappearances also constitute a grave threat to or violation of the right to life.¹¹ Further, while Nicaragua has not ratified the International Convention for the Protection of All Persons from Enforced Disappearance, the Group notes that this Convention largely reflects customary international law, which is legally binding on Nicaragua.¹² Enforced disappearance also constitutes a crime under Nicaraguan law. Article 488 of the Criminal Code, in chapter II entitled “Crimes against humanity”, states that: “Any authority, official, public servant or law enforcement

⁷ Resolution A/HRC/RES/49/3.

⁸ All interviews and documents have been codified and preserved in the confidential archives of the Group.

⁹ A/HRC/61/56, paras. 6-12 and 43; “Nicaragua: Persecution beyond borders – Exile and transnational human rights violations”, 23, September 2025, pp. 23-25; and “Nicaragua: Repression through a gender lens”, paras. 49, 81, 82 and 112.

¹⁰ A/HRC/52/63, paras. 6-11; A/HRC/55/27, paras. 7-12; A/HRC/58/26, para. 6; and the relevant sections of the supplementary documents, especially A/HRC/52/CRP.5, paras. 35-74.

¹¹ Inter-American Court of Human Rights, *Velásquez Rodríguez v. Honduras*, Judgment, 29 July 1988, para. 155; Declaration on the Protection of All Persons from Enforced Disappearance, A/RES/47/133, article 1(2); Human Rights Committee, *Sarma v. Sri Lanka*, CCPR/C/78/D/950/2000, para. 9.3.

¹² In its general comment on enforced disappearance as a crime against humanity (A/HRC/13/31, para. 39), the Working Group on Enforced and Involuntary Disappearances affirmed that the classification of enforced disappearances as a crime against humanity reflects customary international law (para. 6). See also, International Criminal Tribunal for the former Yugoslavia, *Prosecutor v. Kupreskic et al.*, Trial Chamber, Judgment, 14 January 2000, para. 566.

officer who lawfully or unlawfully detains a person and fails to provide information as to their whereabouts shall be liable to a prison sentence of between four and eight years and absolute disqualification from holding public office or employment for a period of between six and ten years.”¹³

II. A context of widespread arbitrary detentions

11. The arbitrary detention and unfair trial of real or perceived opponents constitute a pattern of violations used by the Nicaraguan authorities to punish and silence real or perceived opponents and their relatives since April 2018, a pattern the Group has extensively documented.¹⁴ Arbitrary detention is a central component of the Government’s broader discriminatory policy aimed at systematically persecuting and silencing dissent and closing spaces from which criticism, protest or resistance could emerge.

12. The manner in which the pattern has been implemented – or *modus operandi* – and the profiles of those detained have evolved across four different phases of repression.¹⁵ During the widespread demonstrations of 2018 (April-September), the number of arbitrary detentions soared as the police, the military and pro-government armed groups arrested hundreds of protestors. Operation Clean-Up, launched in June 2018 as a series of violent security operations aimed at dismantling roadblocks and barricades across the country and ending the protests, marked the beginning of more selective arbitrary arrests. The police targeted individuals who played a key role in the demonstrations, such as student, social, feminist, campesino and political leaders and activists, as well as human rights defenders, journalists, media workers and dissidents of the Sandinista National Liberation Front (hereinafter FSLN).

13. Targeted arbitrary arrests conducted through planned police operations have continued to this day. In the leadup to the 2021 presidential elections (second phase of repression), the Government arbitrarily detained candidates and key figures from opposition political parties, social movements and the private sector. It also started to target the relatives of real or perceived opponents as a means of punishment or pressure.

14. Arbitrary arrests continued throughout 2022 (third phase of repression), forming an essential part of the Government’s efforts to eliminate the remaining political opposition and dismantle the civic space. During this phase, the authorities extended victimization to leaders and members of the Catholic Church and academics, among other targets.

15. Since 2023 (fourth phase of repression), the Government has continued to resort to targeted arbitrary detention, including through country-wide coordinated police raids, as part of measures to eliminate all criticism and consolidate absolute control over State institutions and the population. The pool of victims continued to expand and diversify to include leaders and members of Christian churches, Indigenous and Afrodescendant leaders, current and former State officials, including members of the judiciary, retired members of the military, and former Sandinista and Contra combatants.

16. The Group found that several State institutions acted in coordination to carry out arbitrary detentions.¹⁶ The police, including the Legal Cooperation Directorate, the Public Prosecutor’s Office, the judiciary and the National Prison Service worked in concert, with the support of an extensive surveillance and intelligence network, to identify, apprehend, prosecute and imprison real or perceived opponents and their relatives. Rather than acting as a check on this apparatus, the judiciary and public defence mechanism failed to provide

¹³ “La autoridad, funcionario, empleado público o agente de autoridad que detenga legal o ilegalmente a una persona y no dé razones sobre su paradero, será sancionado con pena de cuatro a ocho años de prisión e inhabilitación absoluta del cargo o empleo público de seis a diez años.” (Criminal Code, art. 488).

¹⁴ A/HRC/52/63, paras. 47-66; A/HRC/55/27, paras. 28-32; A/HRC/58/26, paras. 28-37; A/HRC/61/56, paras. 55-63; and the relevant sections of the supplementary documents.

¹⁵ The Group identified four phases of repression (see A/HRC/58/26, paras. 7-10; and A/HRC/61/56, para. 5).

¹⁶ A/HRC/58/26, paras. 21, and 29-37; and A/HRC/58/CRP.8, paras. 464-496.

effective safeguards against arbitrary deprivation of liberty and other human rights violations, including torture and ill-treatment. Further, the National Assembly adopted legislation that expanded the authorities' ability to detain and criminally prosecute opponents.

17. The documented *modus operandi* included arrests conducted without warrants and without informing the persons concerned of the reasons for their detention. In many cases, detainees were not brought before a judicial authority within the legally prescribed period of 48 hours and were held incommunicado for days or weeks prior to appearing before a court. Access to legal assistance was frequently denied, and relatives and lawyers were unable to obtain reliable information regarding the detainees' location or legal status. Habeas corpus petitions were commonly ignored by the judiciary.¹⁷ In the cases in which habeas corpus petitions were admitted, judicial orders were disregarded by police and prison authorities, depriving detainees of an effective means of challenging the lawfulness of their detention.¹⁸

18. Arbitrary detention was often followed by accelerated criminal proceedings devoid of fair trial guarantees.¹⁹ Charges were unfounded, disproportionate, grounded in legislation incompatible with human rights and the principle of legality²⁰ and/or supported by fabricated evidence. Pretrial detention was imposed as a matter of course, without individualized consideration of necessity, proportionality or less restrictive alternatives. The proceedings were riddled with serious violations of due process and fairness, including disregard for the presumption of innocence, the right to a defence and equality of arms. In some cases, the defendants were not notified of the verdict and sentence imposed. Taken together, these practices show that criminal proceedings often served merely as a veneer of legality over politically motivated deprivation of liberty.

19. Detention also exposed victims to further serious violations.²¹ Many persons held on political grounds were subjected to acts constituting cruel, inhuman or degrading treatment or punishment, or torture.²² They were frequently detained incommunicado as well, a practice that both the Human Rights Committee and the Special Rapporteur on Torture and other Cruel, Inhuman or Degrading Treatment or Punishment have recommended abolishing.²³ Some were placed in prolonged solitary confinement (more than 15 consecutive days), a measure which can in itself amount to torture or other ill-treatment.²⁴ Persons deprived of their liberty on political grounds were often further subjected to inhuman and discriminatory conditions of detention, including limited access to potable water, sunlight and exercise, insufficient or poor quality food, insalubrious and overcrowded cells, and no access to adequate and timely medical care, among other deprivations.

¹⁷ According to an investigation conducted by the non-governmental organization Asociación Memoria y Justicia, 90.1% of the 315 habeas corpus petitions lodged between 2018 and 2024 against politically motivated detentions that they examined were ineffective; only 1.6% resulted in effective protection. The organization was not able to trace the results of 8.3% of the petitions (see "El colapso del Habeas Corpus en Nicaragua - Inefectividad del recurso de exhibición personal frente a las detenciones por motivos políticos en Nicaragua (2018-2024)", September 2026, p. 45).

¹⁸ A/HRC/58/26, paras. 35 and 37; and A/HRC/58/CRP.8, paras. 514-522.

¹⁹ A/HRC/52/63, paras. 51-66; A/HRC/58/26, paras. 32-37; A/HRC/52/CRP.5, paras. 519-592; and A/HRC/58/CRP.8, paras. 485-496.

²⁰ Among others: the Act against Money Laundering, the Financing of Terrorism and the Financing of the Proliferation of Weapons of Mass Destruction (Act No. 977), passed on 16 July 2018; the Special Act on Cybercrime (Act No. 1042), passed on 27 October 2020; the Act on the Defence of the People's Rights to Independence, Sovereignty and Self-determination for Peace (Act. No. 1055), passed on 21 December 2020; the Act Amending and Supplementing Act No. 406, the Code of Criminal Procedure of the Republic of Nicaragua (Act No. 1060), passed on 2 February 2021 (for more detail see A/HRC/52/CRP.5, paras. 533-552 and 1176-1178).

²¹ According to the Global Torture Index, the risk of torture and ill-treatment in Nicaragua is classified as "very high" (<https://www.omct.org/en/global-torture-index>).

²² A/HRC/52/63, paras. 67-81; A/HRC/58/26, paras. 41-47; A/HRC/52/CRP.5, paras. 593-649; and A/HRC/58/CRP.8, paras. 523-569.

²³ Human Rights Committee, general comment No. 20 (1992), para. 11; and E/CN.4/2003/68, para. 26(g).

²⁴ Human Rights Committee, general comment No. 20, para. 7; and A/HRC/31/57, para. 22.

20. Arbitrary detention has also had differentiated gender dimensions.²⁵ Women human rights defenders, feminists, students, journalists, political and community leaders, campesinas, Indigenous and Afrodescendant women and LGBTIQ+ persons have been arbitrarily detained not only because of their activism or perceived political opposition, but also because they challenged traditional gender roles. Among other serious violations, women deprived of their liberty were specifically subjected to gender-based stigmatization and humiliation, threats of rape, forced nudity, sexual harassment and other forms of gender-based violence, including rape. Many of them were also specifically prohibited from seeing their children.

21. The prolonged arbitrary deprivation of liberty is also part of the widespread and systematic attack against the civilian population and constitutes, *prima facie*, the crime against humanity of imprisonment.²⁶

III. Enforced disappearance

22. The Group has verified 161 cases of enforced disappearance of varying duration – from several days or weeks to several months or years – since the beginning of the crackdown in April 2018. The Group notes, however, that given the prevalent – and justified – fear of retaliation and the dismantling of civil society in the country, cases of arbitrary detention, and consequently enforced disappearances, are underreported.

23. So-called short-term enforced disappearances – disappearances lasting between a few days and several weeks – have occurred regularly from the beginning of the first phase of repression in 2018.²⁷ In 2023, the Group reported that it had investigated 31 cases of enforced disappearances, including cases in which the victims had been detained by members of pro-government armed groups and held in secret detention places. In 29 of these cases, the victims had also been subjected to torture or cruel, inhuman or degrading treatment or punishment.²⁸

24. The Group determined that the State of Nicaragua has resorted to longer enforced disappearances (lasting from a few months to several years) as a strategic and recurrent practice part of its discriminatory policy targeting real or perceived opponents at least since 2023.²⁹ The number of such enforced disappearance cases documented by the Group has significantly increased between 2023 and 2026.

25. By denying the detention and/or concealing the fate or whereabouts of victims of enforced disappearance, Governments render them completely defenceless and deny their legal existence, in violation of their rights to recognition as a person before the law and liberty and security of the person contained in articles 9 and 16 of the ICCPR.³⁰ The prolonged isolation, uncertainty and constant fear caused by enforced disappearances inflict anguish and severe suffering not only on the victims but also on their families,³¹ and may amount to torture or cruel, inhuman or degrading treatment or punishment of both victims and their

²⁵ “Nicaragua: Repression through a gender lens”, paras. 59-65.

²⁶ A/HRC/58/26, paras. 85 and 89; and A/HRC/58/CRP.8, paras. 848-852.

²⁷ The Group recalls that the definition of enforced disappearance does not establish a minimum duration; therefore, so-called short-term enforced disappearances equally fulfil the elements of an enforced disappearance (see A/HRC/39/46, para. 143; and Committee on Enforced Disappearances and Working Group on Enforced or Involuntary Disappearances, “Joint statement on so-called ‘enforced disappearances of short duration’”, CED/C/11, para. 1).

²⁸ A/HRC/52/CRP.5, paras. 514-518.

²⁹ A/HRC/61/56, paras. 54 and 59-63; A/HRC/58/26, paras. 38-40 and 89; A/HRC/58/CRP.8, paras. 497-522 and 865-873.

³⁰ Working Group on Enforced or Involuntary Disappearances, general comment on the right to recognition as a person before the law in the context of enforced disappearances (2011), paras. 1 and 2, contained in A/HRC/19/58/Rev.1, para. 42.

³¹ A/56/156, para. 14; Working Group on Enforced or Involuntary Disappearances, general comment on the right to the truth in relation to enforced disappearance (2010), para. 4, contained in A/HRC/16/48, para. 39; and Declaration on the Protection of all Persons from Enforced Disappearance, art. 1(2).

relatives.³² Enforced disappearance also places the victims' lives at serious and constant risk; the State is accountable for any failure to protect these lives.³³

A. Modus operandi

26. The Group documented a recurring modus operandi through which the fate and whereabouts of some persons deprived of their liberty were concealed from their relatives and legal representatives.³⁴ Although the duration and circumstances of individual cases varied, the documented enforced disappearances generally followed a common sequence: apprehension without legal basis and without the safeguards required by law; refusal to acknowledge the deprivation of liberty or disclose the person's fate or whereabouts; and obstruction of efforts to locate the person.

27. Arrests were frequently carried out without a judicial warrant and outside situations of in flagrante delicto. The persons concerned, as well as relatives or witnesses present at the time, were generally told neither the reasons for the arrest nor the place to which the person would be taken. Many apprehensions occurred at the person's home or workplace. Others took place in public spaces, following religious services or during coordinated police raids involving the detention of several persons within a short period. In several cases, the operations were conducted by police officers accompanied by armed persons in civilian clothes, or by masked individuals travelling in private or unmarked vehicles.

28. The irregular execution of the arrests made it difficult for relatives and witnesses to determine the detaining authority. The absence of warrants, official identification, statutory grounds for the arrest and notification of the place of detention impeded the immediate tracing of the victim. Further, the detainees were not brought before a competent judicial authority within the constitutionally prescribed period of 48 hours. During the initial phase of the repression, persons apprehended by pro-government armed groups were also temporarily held in secret detention places before being transferred to police or prison facilities.

29. Following the arrest, the authorities refused to acknowledge the detention or provide information on the person's fate or whereabouts. Relatives and lawyers repeatedly approached police stations, detention facilities, prisons and other State institutions to locate detainees. Officials routinely denied that their loved ones were held at the facility, claimed detention records were missing, or redirected inquiries to an absent superior or another institution altogether. In several cases, relatives targeted the same facilities over weeks and months, trapped in a bureaucratic runaround, without ever receiving an official response. Officials also withheld information on detainees' transfers to other locations.

30. These practices prevented relatives and legal representatives from independently verifying whether the person was alive, where they were being held and under what conditions. In some cases, the first indication that a detainee remained alive came through an unexpected appearance at a judicial hearing, the publication of photographs or videos, or the person's eventual release or expulsion from the country.

31. On several occasions, the authorities released photographs and/or video recordings of disappeared persons, presenting them as proof that the victims were alive and in good

³² Committee against Torture, *Guerrero Larez v. Venezuela (Bolivarian Republic of)*, CAT/C/54/D/456/2011, para. 6.6; Inter-American Court of Human Rights, *Velásquez Rodríguez v. Honduras*, Judgment, 29 July 1988, para. 156; Human Rights Committee, *El-Megreisi v. Libyan Arab Jamahiriya*, CCPR/C/D/440/1990, para. 5.4, and *Mukong v. Cameroon*, CCPR/C/51/458/1991, 10 August 1994, para. 9.4.

³³ Human Rights Committee, general comment No. 36 (2018), CCPR/C/GC/36, para. 58, and *El Boathi v. Algeria*, CCPR/C/119/D/2259/2013, para. 7.5.

³⁴ A/HRC/52/CRP.5, paras. 514-518; A/HRC/58/26, paras. 38-40; A/HRC/58/CRP.8, paras. 497-522; and A/HRC/61/56, paras. 59-63.

conditions.³⁵ The Group has examined these materials. While they confirm that the persons were under State control at that moment, they do not constitute independent or reliable evidence of the conditions of detention or of the absence of ill-treatment. The Group is not in a position to independently verify the circumstances under which these recordings were made. The release of such materials after prolonged periods of incommunicado detention does not remedy the violations already committed, nor does it discharge the State's ongoing obligations to disclose the fate and whereabouts of the person, allow regular access to family and legal counsel and permit independent monitoring.

32. Efforts to locate disappeared persons through habeas corpus proceedings were repeatedly delayed or frustrated. Petitions were declared inadmissible, remained without a prompt response or implementation processes were obstructed. When executing judges or defence lawyers sought access to police stations or prisons, they were frequently denied entry or received no substantive response. In other instances, judicial orders requiring the detention authorities to present the detainee or permit verification of the detention were ignored. These practices prevented the prompt and independent confirmation of the person's location and prolonged the period during which relatives and lawyers remained without information. The Group recalls that the obstruction of habeas corpus proceedings and the failure of State authorities to conduct prompt, impartial and effective investigations also deprived the victims of their right to an effective remedy guaranteed by article 2(3) of the ICCPR.

33. In the cases documented, the enforced disappearance ended not through the effective operation of a judicial remedy, but through a decision by the Government to release, transfer, prosecute or expel the detainee, or to allow family visits, or, in the most tragic cases, because the person died in State custody.

B. Profiles of the victims and illustrative cases

34. Since 2018, the profile of persons subjected to enforced disappearance has evolved significantly, in parallel with the progressive expansion of the Government's patterns of victimization. During the initial phase of the repression, the police, the military and pro-government armed groups arbitrarily arrested large numbers of protesters, as well as persons who provided logistical, humanitarian, legal or other forms of support.

35. As mentioned above, the pool of persons subjected to politically motivated detention broadened through the successive phases of repression. Persons linked to the Catholic and other Christian Churches, to opposition political parties, especially the Unión Democrática Renovadora (UNAMOS), and to the 2018 protests, feature prominently among the victims of enforced disappearance. A significant number of relatives of real or perceived opponents have also been subjected to enforced disappearance. The authorities have also targeted retired military, including historical members of the FSLN, and indigenous leaders. The common denominator among victims is, as for other violations, their real or perceived political

³⁵ See, for instance, the exhibitions of Monsignor Rolando Álvarez (Artículo 66, "Exhibición de monseñor Álvarez en una celda teatral es un 'cínico' y 'perverso show' de la dictadura", 29 November 2023, available at: <https://www.articulo66.com/2023/11/29/monsenor-rolando-alvarez-presos-politicos-dictadura-nicaragua-2/>); Yerri Estrada (Confidencial, "Dictadura difunde prueba de vida del preso político Yerri Estrada", 12 September 2025, available at: <https://confidencial.digital/nacion/dictadura-difunde-prueba-de-vida-del-presopolitico-yerri-estrada>); Fabiola Tercero (100 % Noticias, "Periodistas exiliadas denuncian montaje del régimen en Nicaragua con Fabiola Tercero", 12 November 2025, available at: <https://100noticias.tv/nacionales/143826-exiliadas-montaje-exhibicion-fabiola-tercero/>); Bayardo Arce (El País, "Ortega exhibe una prueba de vida del comandante Bayardo Arce, el histórico leal caído en desgracia", 24, March 2026, available at: <https://elpais.com/america/2026-03-24/ortega-exhibe-una-prueba-de-vida-del-comandante-bayardo-arce-el-historico-leal-caido-en-desgracia.html>); Angélica Chavarría (Confidencial, "Régimen exhibe a Angélica Chavarría, después de dos años de desaparición forzada", 22 May 2026, available at: <https://confidencial.digital/nacion/regimen-exhibe-a-angelica-chavarria-despues-de-dos-anos-de-desaparicion-forzada/>); and Monsignor Juan Abelardo Mata (El País, "El régimen de Ortega exhibe en televisión al obispo Abelardo Mata tras 40 días en paradero desconocido en Nicaragua", 13 August 2026, available at: <https://elpais.com/america/2026-08-13/el-regimen-de-ortega-exhibe-en-televisional-obispo-abelardo-mata-tras-40-dias-en-paradero-desconocido-en-nicaragua.html>).

opposition to the Government of Co-Presidents Ortega and Murillo, or their association with persons considered as opponents.

1. Concluded cases

36. This section describes five illustrative cases of Nicaraguans who were subjected to enforced disappearance, as well as other human rights violations, and later released and expelled from the country. These cases appear in chronological order, from the date of the victims' arrest.

a. Víctor Yovelni Ticay Ruíz

37. Víctor Yovelni Ticay Ruíz (currently 34 years old)³⁶ is a Nicaraguan journalist who worked as a correspondent for the nationwide *Canal 10* television network and director of the digital news platform *La Portada* in the municipality of Nandaime, department of Granada.³⁷ For over a decade, he covered local religious, cultural, social and sporting events and incidents. Beginning in 2018, he used social media to report on the repression of the protests. He later covered the COVID-19 pandemic, the arbitrary detention of presidential candidates in 2021 and the persecution of human rights defenders.

38. Mr. Ticay and his family were harassed online, receiving anonymous threats, including of sexual violence, because of his work. In 2020, he was threatened by a local government official who aimed a firearm at his head as he was walking in the street. He sought to lodge a complaint about the incident, which the police refused to register. Despite these threats, he continued his work for *La Portada* and *Canal 10*.

39. On 5 April 2023, Mr. Ticay covered the events that occurred around “La Reseña”, a traditional Catholic procession held in Nandaime during Holy Week, which the Government had prohibited (alongside other religious processions across the country). Around 700 people participated in the La Reseña procession, braving the prohibition. Police officers arrived at the scene, established a security cordon and chased after the participants who crossed it, arresting at least two of them.³⁸

40. On 6 April 2023, Mr. Ticay was arrested without a warrant in front of his home by police officers and individuals in civilian clothing, who forced him into an unmarked vehicle. During his transfer to Managua, one of the individuals confronted him about having recorded the procession the day before. Mr. Ticay was taken to District III police station, where he was held in conditions that undermined his dignity and physical and psychological integrity, including overcrowding, extreme heat, insufficient and poor-quality food and limited and unsafe drinking water. Upon arrival and despite repeated requests, he was denied water for several hours and was subjected to forced nudity in the presence of male and female police officers. He was also photographed and interrogated at least 15 times during the first 12 hours of his detention in a high-temperature room with inadequate ventilation, his hands cuffed too tightly throughout.

41. On 8 April 2023, Mr. Ticay was brought before a court and charged with cybercrime-related offences, treason against the homeland and undermining national integrity. On 9 June 2023, he was transferred to the Jorge Navarro prison complex, known as La Modelo where he continued to be held in degrading conditions: the food he was served contained insects' parts and he developed gastrointestinal illnesses for which he did not receive adequate medical care. Surveillance cameras in the toilet and bathing areas deprived him and other inmates of privacy and he had very limited access to the courtyard and sunlight being handcuffed when allowed there.

³⁶ The victims' ages included in this section are at 31 August 2026.

³⁷ Interviews HHIV116; and HHIV127; documents on file with the Group HHDOC146; HHDOC150; HHDOC220; HHDOC221; HHDOC276; HHDOC348; HHDOC370; and HHDOC1522.

³⁸ 100% Noticias, “Policía de Nandaime persigue a jóvenes que representaban la pasión de Cristo en las calles”, 5 April 2023, available at: <https://100noticias.tv/nacionales/122997-policia-persigue-jovenes-pasion-cristo-nandaime/>.

42. Mr. Ticay's family sought information about his whereabouts time and again but without success. He was forcibly disappeared for 67 days, from the moment of his arrest to 13 June 2023.

43. On 15 August 2023, Mr. Ticay was again brought to court. The proceedings were marked by serious violations of due process and fairness, including violations of his right to equality of arms and an effective defence. The only witnesses presented against him were police officers; he was not allowed to present witnesses of his own. He was convicted of disseminating false news and conspiracy to undermine national integrity and sentenced to eight years' imprisonment – a judgment of which he was never formally notified. On 30 December 2023, he was granted precautionary measures by the Inter-American Commission on Human Rights, which found that his rights to life, personal integrity and health were at serious risk.³⁹

44. On 5 September 2024, after 517 days of arbitrary deprivation of liberty – 67 of them forcibly disappeared, Mr. Ticay was released and expelled from Nicaragua to Guatemala, together with another 134 real or perceived imprisoned opponents. A few days later, he was arbitrarily deprived of his Nicaraguan nationality and his assets were confiscated.⁴⁰

b. *Freddy Antonio Quezada*

45. Freddy Antonio Quezada (67) is a Nicaraguan university professor, philosopher and sociologist.⁴¹ Throughout his academic career, he taught at various higher education institutions in the country, including the National Autonomous University of Nicaragua in Managua. He was known for his commitment to his educational mission and his critical views on the situation of human rights and higher education in Nicaragua. In 2018, he publicly criticized the actions of the Government and denounced what he considered political and religious persecution. On 31 July 2018, he was dismissed from his teaching position at the National Autonomous University of Nicaragua after expressing support for the students who were participating in the large-scale protests; he did not receive the full employment termination benefits to which he was entitled.

46. On 29 November 2023, shortly after he had posted critical comments about the arrest and treatment of Bishop Rolando José Álvarez Lagos on social media, Mr. Quezada was arrested at his home in Managua by individuals dressed in civilian clothing who had arrived in a police vehicle. His relatives were threatened by the same individuals.

47. Mr. Quezada was taken to the District III police station and later transferred to La Modelo. The authorities did not provide any information about his fate and whereabouts. In La Modelo, he was held in solitary confinement for approximately five months. At the time of his arrest, among other health conditions, he suffered from glaucoma and had recently undergone a prostate surgery, which required daily medication. He only had access to medication during the last three months of his detention, but the treatment he received was incomplete and administered inconsistently.

48. During his enforced disappearance, he was tried and convicted of "incitement to hatred". The proceedings lacked the most fundamental guarantees of due process and a fair trial; among other violations, he did not have access to a lawyer of his choice, and the trial was not held in public, but remotely via videoconference. He was not informed of the details of the sentence imposed on him. On 27 December 2023, Mr. Quezada was granted precautionary measures by the Inter-American Commission on Human Rights, which considered that his rights to life, personal integrity and health were at serious risk.⁴²

49. Mr. Quezada was released and expelled from Nicaragua to Guatemala on 5 September 2024, together with another 134 real or perceived imprisoned opponents. A few days later,

³⁹ Inter-American Commission on Human Rights (hereinafter IACHR), Resolution 89/2023, Precautionary Measures No. 1022-23 and 1025-23, *Kevin Emilio Castillo Prado and others regarding Nicaragua*, 30 December 2023.

⁴⁰ "Nicaragua: persecution beyond borders", pp. 9 and 10.

⁴¹ Interviews BBIV415; CCIV097; and CCIV115.

⁴² IACHR, Resolution 82/2023, Precautionary Measure No. 1091-23, *Freddy Antonio Quezada regarding Nicaragua*, 27 December 2023.

he was arbitrarily deprived of his Nicaraguan nationality and his assets were confiscated, including his pension, which, until his arrest, had been paid at a lower level than the one to which he was entitled.⁴³ He spent 282 days forcibly disappeared, from his arrest to his expulsion.

c. *Walner Omier Blandón Ochoa*

50. Walner Omier Blandón Ochoa (44) is a Nicaraguan evangelical pastor and leader of the Christian ministry Puerta de la Montaña (Mountain Gateway).⁴⁴ He is known for his pastoral work, the evangelical activities he organized and the spiritual support he provided to families and communities, especially in Estelí, Jinotega, Matagalpa and Sebaco. Among the initiatives he promoted was “Buenas Nuevas Nicaragua” (Good News Nicaragua), a large-scale campaign of mass gospel, prayer meetings and revival events across Nicaragua, including in Somotillo, Chinandega, León, Jinotepe, Estelí, Ocotal, Masaya and Managua, which brought together between 325,000 and 700,000 people, depending on estimates.⁴⁵

51. Mr. Blandón had recently become a father for the second time when, on 12 December 2023, he was taken to the National Police headquarters in Managua by the chief of the police in Matagalpa. He had been told that the director of the police wanted to meet with him. Once there, Mr. Blandón was arrested without a warrant. He was transferred to the District III police station where he was held in a dark cell, chained and suspended by the hands, while his feet were also shackled. He remained in this position for about seven hours, resulting in the swelling of his back. The following day, his hands and feet were shackled again for about three hours, and he was beaten with the chains.

52. On 16 December 2023, Mr. Blandón’s wife was also arrested and forcibly disappeared, along with 10 other members of the Puerta la Montaña ministry. On 18 December, he was transferred to La Modelo, where he was held in solitary confinement in a dark cell without windows, with restricted access to water and food, for seven months. Then he was transferred to a cell which he shared with other members of his ministry. The authorities did not provide Mr. Blandón’s relatives with any information about his fate or whereabouts, despite their numerous efforts to locate him.

53. During his enforced disappearance, Mr. Blandón was tried for money laundering, together with his wife and 12 other members of the ministry,⁴⁶ and, on 19 March 2024, he was sentenced to 15 years’ imprisonment and ordered to pay a fine of 80 million dollars. The proceedings lacked the most fundamental guarantees of due process and a fair trial; among other violations, he was denied access to his lawyers to prepare his defence, and the trial was not held in public but remotely via videoconference. On 21 April 2024, Mr. Blandón and 10 other members of the Puerta de la Montaña ministry were granted precautionary measures by the Inter-American Commission on Human Rights, which considered that their rights to life, personal integrity and health were at serious risk.⁴⁷

54. Mr. Blandón was released and expelled from Nicaragua to Guatemala on 5 September 2024, together with another 134 real or perceived imprisoned opponents. A few days later, he was arbitrarily deprived of his Nicaraguan nationality and his assets were confiscated.⁴⁸ He spent 270 days forcibly disappeared, from his arrest to his expulsion.

⁴³ “Nicaragua: persecution beyond borders”, pp. 9 and 10.

⁴⁴ Interviews BBIV415; HHIV060; HHIV068; HHIV120 and HHIV124; and documents on file with the Group HHD0C256; HHD0C257; and HHD0C266.

⁴⁵ New York Times, “An American Church thrived in Nicaragua. Then its pastors went to prison”, 5 September 2024, available at: <https://www.nytimes.com/2024/09/05/us/american-pastors-nicaragua-money-laundering.html>.

⁴⁶ El 19 Digital, “Ministerio Público informa sobre los avances de la investigación del caso Puerta de la Montaña”, 17 January 2024, available at: <https://www.el19digital.com/articulos/ver/titulo:148370-ministerio-publico-informa-sobre-los-avances-de-la-investigacion-del-caso-puerta-de-la-montana>.

⁴⁷ IACHR, Resolution 23/2024, Precautionary Measure No. 384-24, *Walner Omier Blandón Ochoa and ten other persons of the “Puerta de la Montaña” ministry regarding Nicaragua*, 21 April 2024.

⁴⁸ “Nicaragua: persecution beyond borders”, pp. 9 and 10.

d. *Marisela de Fátima Mejía Ruíz*

55. Marisela de Fátima Mejía Ruíz (43) is a Nicaraguan member of the Puerta de la Montaña ministry.⁴⁹ She is married to pastor Walner Omier Blandón Ochoa and mother of two children. She was the financial manager of the ministry and participated in evangelical activities, religious education and the spiritual support of communities in different regions of Nicaragua.

56. On 16 December 2023, Ms. Mejía was arrested at her home in Matagalpa by police officers who did not present a warrant. A few days earlier, she was forced to accompany the police commissioner of Matagalpa to locate other members of the Puerta de la Montaña ministry and to the headquarters of the ministry, where the police confiscated computers and files. She was ordered to stay at home and then was arrested for failing to comply with the order, as she left her home to look for her children. At the time of her detention, her second child was only 2 months old and was still breastfeeding.

57. Ms. Mejía was held in the comprehensive women's prison, known as La Esperanza. The authorities refused to provide Ms. Mejía's relatives with any information on her fate or whereabouts. During her interrogation, she was told her children would be taken away from their grandmother and placed in the custody of the Ministry of the Family. The police officers mocked her and said they had authority over her life, while they pressured her to sign a statement admitting to money laundering. She refused to sign, and the interrogation continued for around two and a half hours, during which she was insulted and called a "bad mother".

58. Ms. Mejía was held in solitary confinement for two and a half months, in a cell measuring around 3 by 4 metres and equipped only with a toilet and a bunk bed. The cell received limited natural light through an iron gate and small openings near the ceiling. During this period, she experienced severe distress because of the separation from her children and the anguish of not seeing them again. She cried constantly, suffered from headaches and stopped eating. On 24 February 2024, she was transferred to another cell after she had begun fainting.

59. During her enforced disappearance, she was tried for money laundering, together with her husband and 12 other members of the ministry,⁵⁰ and, on 26 March 2024, she was sentenced to 15 years' imprisonment and ordered to pay a fine of 80 million dollars. As described above (see paragraph 53 above), the proceedings lacked the most fundamental guarantees of due process and a fair trial. On 21 April 2024, Ms. Mejía also benefitted from the precautionary measures granted by the Inter-American Commission on Human Rights described above.⁵¹

60. Ms. Mejía was released and expelled from Nicaragua to Guatemala on 5 September 2024, together with another 134 real or perceived imprisoned opponents. A few days later, she was arbitrarily deprived of her Nicaraguan nationality and her assets were confiscated.⁵² She spent 265 days forcibly disappeared and separated from her children, from her arrest to her expulsion.

e. *Carlos Alberto Bojorge Martínez*

61. Carlos Alberto Bojorge Martínez (23) is a Nicaraguan poet and a Catholic activist from Managua.⁵³ In 2018, he was a university student who threw himself into pastoral initiatives promoting freedom of religion and human rights. He participated in several demonstrations wearing religious symbols and calling for an end to State repression and

⁴⁹ Interviews EEIV196; HHIV068; and HHIV124; and documents on file with the Group HHDOC256; HHDOC257; and HHDOC266.

⁵⁰ El 19 Digital, "Ministerio Público informa sobre los avances de la investigación del caso Puerta de la Montaña", 17 January 2024.

⁵¹ IACHR, Resolution 23/2024, Precautionary Measure No. 384-24, *Walner Omier Blandón Ochoa and ten other persons of the "Puerta de la Montaña" ministry regarding Nicaragua*, 21 April 2024.

⁵² "Nicaragua: persecution beyond borders", pp. 9 and 10.

⁵³ Interviews HHIV120; HHIV071; and HHIV124; and documents on file with the Group HHDOC355; HHDOC357; and HHDOC520.

published poems and commentary on social media, including on human rights violations committed in Nicaragua.

62. On 1 January 2024, Mr. Bojorge was arrested without a warrant by two men in civilian clothing and two police officers as he was leaving Managua's Metropolitan Cathedral where he had attended mass. He was wearing a t-shirt depicting the Virgin Mary holding a Nicaraguan flag alongside a portrait of Óscar Romero, the slain Archbishop of San Salvador, a global symbol of courage in the face of repression. He was first taken to District III police station where he was subjected to forced nudity and taken out of his cell for interrogation on around 15 occasions to prevent him from sleeping. During one session, he fell asleep and was hit in the neck and head. He was also deprived of food for about 24 hours.

63. On 2 January 2024, Mr. Bojorge was transferred to La Modelo. For the first several months of his detention, he was held in unsanitary conditions, in a cell infested with rats and cockroaches. On 5 March 2024, a photograph of Mr. Bojorge inside La Modelo was leaked to the press. On 7 March, prison authorities conducted a search to locate the mobile phone used to take the photograph. Once they found the phone, they used it to hit Mr. Bojorge. He and other inmates were punished: their hair was cut, their beds were removed, and they were deprived of recreational items. On 8 March, approximately 25 police officers entered his cell. They cuffed both his hands and feet, removed him from his cell and forced him to do squats. Mr. Bojorge was then repeatedly hit and kicked in the chest, back, face and head by five prison guards and the director of La Modelo. One blow from the director of La Modelo was struck with such force that he was thrown against a wall. After this incident, he was transferred to another area of La Modelo.

64. The authorities did not inform Mr. Bojorge's relatives of his fate or whereabouts. His family searched for him at various detention centres where the authorities in charge refused to disclose any information. At one, they were told to look for him at the morgue. They also visited several State institutions, to no avail. When Mr. Bojorge requested the prison's guards to see his family, he was told that no one was coming to visit him.

65. On 6 March 2024, Mr. Bojorge was granted precautionary measures by the Inter-American Commission on Human Rights.⁵⁴ During his enforced disappearance, he was tried and sentenced to nine years and six months' imprisonment for drug trafficking in proceedings that lacked the most fundamental guarantees of due process and a fair trial; among other violations, he did not have access to a lawyer of his choice, the charges were fabricated, and the trial was not held in public.

66. Mr. Bojorge was released and expelled from Nicaragua to Guatemala on 5 September 2024, together with another 134 real or perceived imprisoned opponents. A few days later, he was arbitrarily deprived of his Nicaraguan nationality and his assets were confiscated.⁵⁵ He had spent 248 days forcibly disappeared, from his arrest to his expulsion.

2. Ongoing enforced disappearances

67. As at 31 August 2026, the Group had verified the ongoing enforced disappearance of 29 persons, many of whom are older persons, including: **Douglas Gamaliel Centeno Pérez** (46); **Víctor Boitano Coleman** (65); **Eddie Moisés González Valdivia** (68); **Steadman Fagoth Müller** (73); **José Danilo Jirón Gudiel** (54); **Elvia Junieth Flores Castillo** (37) and her two daughters (9 and 15); **Larry Javier Martínez Romero** (32); **Carlos Ramón Brenes Sánchez** (70); **Salvadora del Socorro Martínez Aburto** (69); **Byron Miguel Espinoza Flores** (31); **Alexander Enrique Espinoza Flores** (28); **Ricardo José Mendoza Yrigoyen** (64); **Alda López Bryan** (64); **Jordys Escobar Bryan** (45); **Korny Juber Valle Bushey** (28); **Jorge Webster Rojas** (64); **Florencia Sarmiento Alejandro** (59); **Claudia Magaly Munguía Mayorga** (54).⁵⁶ Some of these cases are briefly described in this section; they appear in chronological order, from the date of the victims' arrest.

⁵⁴ IACHR, Resolution 10/2024, Precautionary Measure No. 274-24, *Carlos Alberto Bojorge Martínez regarding Nicaragua*, 6 March 2024.

⁵⁵ "Nicaragua: persecution beyond borders", pp. 9 and 10.

⁵⁶ Victims listed in chronological order, from the date of their arrest.

a. *Víctor Boitano Coleman*

68. Víctor Boitano Coleman (65) is a retired army colonel.⁵⁷ Following his retirement in 2007, he published several books critical of the FSLN, in which he denounced corruption that he attributed to FSLN officials. In 2011, he was arrested by the Police Special Operations Directorate and held for about a month and a half at the facilities of the Legal Cooperation Directorate. On 13 May 2018, Mr. Boitano left Nicaragua because he believed that the authorities intended to mobilize retired military personnel and he refused to take part in the repression. In 2023, he returned to Nicaragua through an official land border check point, complying with all legal entry requirements.

69. On 23 April 2024, Mr. Boitano was arrested without a warrant at his home in Managua by several individuals in civilian clothing and at least six police officers carrying long firearms. Days before his arrest, he had gone to the Directorate General for Migration and Alien Affairs to renew his passport. His relatives went to the Legal Cooperation Directorate, La Modelo, other detention centres and the police national headquarters in Plaza El Sol multiple times in search of any information on his fate and whereabouts, to no avail. At the time of his detention, Mr. Boitano suffered from diabetes, hypertension, circulatory problems, sleep apnoea, persecutory delusions and depression, conditions which required continuous medical care.

70. On 4 December 2024, the Inter-American Commission on Human Rights granted him precautionary measures.⁵⁸ On 27 March 2025, the Inter-American Court of Human Rights extended provisional measures to the benefit of Mr. Boitano and five other persons, considering he was in a situation of complete vulnerability.⁵⁹ As at 31 August 2026, Mr. Boitano had been forcibly disappeared for over two years and four months (861 days) despite his relatives' efforts to locate him.

b. *Eddie Moisés González Valdivia*

71. Eddie Moisés González Valdivia (68) is an engineer, a university professor, a business consultant and a retired army major.⁶⁰ In 2018, he decried the repression targeting his students and was a vocal critic of the Government until his detention. He publicly denounced the arbitrary detention of his sister, journalist Nohelia González Valdivia, on 9 July 2024, and her expulsion from the country. On 14 July 2024, he was arrested without a warrant at his home in Estelí by police officers and armed individuals in civilian clothing. During the operation, Mr. González and the police exchanged fire and he was wounded. He was captured, beaten and taken to San Juan de Dios Hospital in Estelí, where he was last seen. When his relatives went to the hospital, they were first told that he was not there and then that he had been placed in isolation. In addition to the wound sustained during his arrest, Mr. González was suffering from diabetes, hypertension, visual impairment, as well as the consequences of spinal and lower limb injuries caused by the torture that he was subjected to during the 1970s.

72. In a preliminary hearing held via videoconference on 22 July 2024, the District Criminal Court of Estelí charged Mr. González with "attempted homicide in conjunction with the manufacture, possession, and use of restricted weapons, explosives, improper use of emblems, uniforms, or equipment of the Nicaraguan Army, as well as aggravated harm and obstruction of functions". The Group could not establish if Mr. González was convicted and sentenced for these accusations. On 30 September 2024, the Inter-American Commission on

⁵⁷ Interviews BBIV386; and EEIV325; and documents on file with the Group BBDOC3358; EEDOC1383; EEDOC1384; EEDOC1385; EEDOC1564; EEDOC1586; HHDOC1685; HHDOC1845; HHDOC1851; and HHDOC1855.

⁵⁸ IACHR, Resolution 93/2924, Precautionary Measure No. 1249-24, *Víctor Boitano Coleman regarding Nicaragua*, 4 December 2024.

⁵⁹ Inter-American Court of Human Rights, Order, Provisional Measures, *Matter of Juan Sebastián Chamorro et al. regarding Nicaragua*, 27 March 2025.

⁶⁰ Interviews HHIV083; and HHIV259; and documents on file with the Group HHDOC391; HHDOC424; HHDOC1685; HHDOC1845; HHDOC1851; and HHDOC1855.

Human Rights granted him precautionary measures.⁶¹ According to information reported by the Commission, Mr. González was being held in the maximum-security prison, known as La 300. On 27 March 2025, the Inter-American Court of Human Rights extended provisional measures to the benefit of Mr. González and five other persons, considering he was in a situation of complete vulnerability.⁶²

73. As at 31 August 2026, Mr. González had been forcibly disappeared for over two years (779 days) despite his relatives' persistent efforts to establish his whereabouts and conditions of detention, including a habeas corpus petition.

c. *Steadman Fagoth Müller*

74. Steadman Fagoth Müller (73) is a Miskito Indigenous leader and politician who advocates for the rights of Indigenous Peoples on Nicaragua's Caribbean Coast.⁶³ In 2017, he was appointed presidential adviser on Indigenous Peoples policies, a position from which he expressed views contrary to that of the Government and condemned the invasion of Indigenous territories. On 16 August 2024, he was reconfirmed in his position and given the rank of Minister. On 13 September 2024, he convened a meeting of Indigenous leaders to discuss these territorial invasions. He then addressed the press, denouncing the occupation and destruction of the land of some 300 Indigenous communities and identifying individuals and institutions he deemed responsible. He claimed that settlers (known as *colonos*) were armed with military-grade weapons and operated with the consent of the police and army. He also said individuals close to the Government had launched a smear campaign against him.

75. On 14 September 2024, Mr. Fagoth was arrested at the estate where he was staying, in the Northern Caribbean Coast Autonomous Region, during a military operation involving approximately 50 members of the army. He was transferred by helicopter to Managua. The army confirmed his detention and said he had been handed over to the police.⁶⁴ His family was not informed of his whereabouts. At the time of his arrest, Mr. Fagoth was suffering from diabetes.

76. Following his detention, police officers approached one of Mr. Fagoth's relatives and without presenting a warrant seized Mr. Fagoth's mobile phone and documentation concerning the invasion of Indigenous territories and violent attacks by settlers. On 28 October 2024, the Inter-American Commission on Human Rights granted Mr. Fagoth precautionary measures.⁶⁵ On 27 March 2025, the Inter-American Court of Human Rights extended provisional measures to his benefit and that of five other persons.⁶⁶ Mr. Fagoth was reportedly sentenced to 105 years' imprisonment in a secret trial, though this information could not be confirmed officially.

77. On 14 June 2026, the authorities released photographs of Mr. Fagoth with a person identified in the press as his partner, taken during a visit at La Modelo on 12 June 2026.⁶⁷ By

⁶¹ IACHR, Resolution 68/2024, Precautionary Measure No. 919-24, *Eddie Moisés González Valdivia regarding Nicaragua*, 30 September 2024.

⁶² Inter-American Court of Human Rights, Order, Provisional Measures, *Matter of Juan Sebastián Chamorro et al. regarding Nicaragua*, 27 March 2025.

⁶³ Interviews HHIV151; HHIV185; HHIV190; HHIV196; HHIV201; HHIV234; HHIV307; HHIV310; HHIV311; and HHIV313; and documents on file with the Group HHD0C412; HHD0C426; HHD0C1865; and HHD0C1866.

⁶⁴ National Army, press release No. 196/2024, 15 September 2024, available at: <https://www.el19digital.com/articulos/ver/titulo:155922-ejercito-de-nicaragua-retiene-y-entrega-a-la-policia-nacional-al-ciudadano-stedman-fagot-muller->.

⁶⁵ IACHR, Resolution 77/2024, Precautionary Measure No. 1133-24, *Steadman Fagot Muller regarding Nicaragua*, 28 October 2024.

⁶⁶ Inter-American Court of Human Rights, Order, Provisional Measures, *Matter of Juan Sebastián Chamorro et al. regarding Nicaragua*, 27 March 2025.

⁶⁷ El 19 Digital, "Steadman Fagot con su esposa, doctora Stefany Martínez en Sala del Sistema Penitenciario Nacional", 14 June 2026, available at: <https://www.el19digital.com/articulos/ver/178254-stedman-fagot-con-su-esposa-doctora-stefany-martinez-en-sala-del-sistema-penitenciario-nacional>; and Confidencial, "Dictadura difunde imágenes del preso político Steadman Fagot Müller", 12 June 2026, available at:

that time, he had been forcibly disappeared for a year and eight months (636 days). Since that date, no other visits have been allowed and no information on his situation given to his family; therefore, as of 31 August 2026, he had again been forcibly disappeared for 80 days.

d. *José Danilo Jirón Gudiel*

78. José Danilo Jirón Gudiel (54) is a shopkeeper and member of the Movimiento Campesino who actively participated in the 2018 protests in Boaco, in the department of the same name.⁶⁸ Between 2018 and 2022, he was harassed and threatened by police officers and members of pro-government armed groups, which forced him to leave the country for the United States of America. In 2025, he decided to return to Nicaragua as he suffered from hypertension, diabetes and kidney failure.

79. On 8 March 2025, after arriving at Miami's international airport, the airline informed Mr. Jirón he was prohibited from entering Nicaragua. Owing to his illness, he requested a review of his situation. On 9 March, he was allowed to board a flight to Nicaragua with his son. Upon arrival at Managua's International Airport, police officers arrested him without a warrant. His son was told that his father would be transferred to the facilities of the Legal Cooperation Directorate in Boaco.

80. On 10 March 2025, his relatives and lawyer travelled to the Public Prosecutor's Office in Boaco where they were informed that Mr. Jirón's preliminary hearing would take place in Juigalpa. However, the online case registration system indicated that he was held in a detention centre in Tipitapa, department of Managua. The lawyer said he could no longer represent Mr. Jirón for fear of reprisal. During the following months, his relatives made repeated efforts to establish his whereabouts, visiting several police stations and detention centres, including La Modelo, where the authorities denied that he was in their custody. As at 31 August 2026, Mr. Jirón had been forcibly disappeared for over a year and five months (541 days).

e. *Elvia Junieth Flores Castillo and two minor children*

81. Elvia Junieth Flores Castillo (37) is the mother of two minor daughters (9 and 15).⁶⁹ On 1 November 2017, Ms. Flores joined a press conference held in Miami by four of her siblings online from Nicaragua, during which she claimed that her personal relationship with Daniel Ortega had "destroyed her life and that of her family" and described severe restrictions to her freedom of movement, including prohibition to leave the country, constant surveillance and monitoring of her communications. She said she was afraid for her life and that of her family.⁷⁰ In an interview published on 19 January 2018, Ms. Flores substantially changed her account, denying that she had had a personal relationship with Mr. Ortega and that she had been the victim of sexual abuse as a minor.⁷¹

82. According to her mother, Elpidia Castillo, Ms. Flores contacted her by phone on 21 March 2025 from Managua to say that police officers were about to arrest her and her daughters. Relatives stated that, during a follow up call, they heard a struggle and the voices of unidentified individuals saying that they were following orders. The call was cut off

<https://confidencial.digital/nacion/dictadura-difunde-imagenes-del-presopolitico-steadman-fagot-muller/>.

⁶⁸ Interview HHIV314; and documents on file with the Group HHDOC1860; HHDOC1862; and HHDOC1863.

⁶⁹ Interview BBIV1032; documents on file with the Group BBDOC3371 and BBDOC3384.

⁷⁰ Diario Las Américas, "Víctima de abuso sexual de Daniel Ortega lanza grave denuncia en Miami", 1 November 2017, available at: <https://www.diariolasamericas.com/americalatina/victima-abuso-sexual-daniel-ortega-lanza-grave-denuncia-miami-n4135971>.

⁷¹ Diario Las Américas, "Acusaciones de Elvia Junieth, presunta víctima de Daniel Ortega, dan un giro inesperado", 19 January 2018, available at: <https://www.diariolasamericas.com/americalatina/acusaciones-elvia-junieth-presunta-victima-daniel-ortega-dan-un-giro-inesperado-n4141734/amp>; La Jornada Net, "VIDEO Elvia Flores Castillo aclara fuertes acusaciones hechas contra el Presidente Daniel Ortega", 18 January 2016; available at: <https://lajornadanet.com/nicaragua/video-elvia-flores-castillo-aclara-fuertes-acusaciones-hechas-contra-el-presidente-daniel-ortega/>; and document on file with the Group BBDOC3384.

shortly afterwards. Since then, Ms. Flores' family has been unable to establish contact with her or her two daughters, despite repeated public calls for their release or information on their fate or whereabouts. According to her family, Ms. Flores had been arbitrarily detained on several occasions before 2025. In 2013, Ms. Flores' brother, Santos Sebastián Flores Castillo, was sentenced to 15 years' imprisonment after he had publicly accused Daniel Ortega of sexually abusing Ms. Flores while she was a minor. He died in custody on 8 November 2021 (see section IV(B) below). As at 31 August 2026, Ms. Flores and her daughters had been forcibly disappeared for over a year and 5 months (528 days).

f. Larry Javier Martínez Romero

83. Larry Javier Martínez Romero (32) is a bricklayer who actively participated in the 2018 protests in Masaya during which he sustained shrapnel injuries.⁷² On 12 July 2018, he was detained by members of pro-government armed groups and taken to the police station of Masaya where he was held incommunicado for approximately 15 days. During his detention, he was severely beaten, resulting in a fractured nose, and burned with cigarettes. He was not brought before a judicial authority or subjected to legal proceedings. Following his release, he was harassed and threatened by supporters of the FSLN. In 2023, he was arrested by the police and taken to Masaya's police station where he was told he had to report every morning from then on.

84. On 13 August 2025, Mr. Martínez was arrested without a warrant at his home in Masaya by 10 police officers. The Group could not find any information on legal proceedings against him. On 27 October 2025, the Inter-American Commission on Human Rights granted him and nine other persons precautionary measures.⁷³ As at 31 August 2026, Mr. Martínez had been forcibly disappeared for over a year (384 days) despite his family's relentless efforts to establish his whereabouts and legal status.

g. Carlos Ramón Brenes Sánchez and Salvadora del Socorro Martínez Aburto

85. Carlos Ramón Brenes Sánchez (71) is a retired military colonel and Salvadora del Socorro Martínez Aburto (69) his spouse.⁷⁴ Mr. Brenes fought against the dictatorship of Anastasio Somoza Debayle and then served in various positions in the Sandinista Popular Army. Following his retirement in 1992, he became a critic of the FSLN, denouncing the appropriation of State assets during the transition and the lack of self-criticism of the party following its electoral defeat. He was arrested on 28 August 2018 at the Peñas Blancas border with Costa Rica while seeking to leave the country. He was charged with terrorism and organized crime, amongst other crimes connected with the protests, and convicted on 31 January 2019.⁷⁵ He was released in June 2019 following the adoption of the Amnesty Act. Mr. Brenes continued to be subjected to police surveillance and control and was required to report periodically to the police (by calling and sending photographs). Police harassment and surveillance also targeted members of his family. On 25 February 2021, the Inter-American Commission on Human Rights granted precautionary measures to Mr. Brenes and his immediate family.⁷⁶

86. On 14 August 2025, police officers arrested Ms. Martínez while she was walking home and drove her to her home in Jinotepe where they arrested Mr. Brenes. Their detention occurred during a broader wave of arrests across the country targeting persons perceived as

⁷² Documents on file with the Group EEDOC1389; EEDOC1394; HHDOC1853; and HHDOC1854.

⁷³ IACHR, Resolution 74/2025, Precautionary Measures No. 1326-25 and 1372-25, *Álvaro Antonio Baltodano Cantarero and nine other persons regarding Nicaragua*, 27 October 2025.

⁷⁴ Interviews BBIV786; DDIV009; EEIV299; and EEIV303; IACHR, Precautionary Measure No. 1076-18, *Carlos Ramón Brenes Sánchez and his immediate family regarding Nicaragua*, 25 February 2021; and Human Rights Watch, "Crackdown in Nicaragua: Torture, ill-treatment and prosecutions of protesters and opponents", 19 June 2019, available at: <https://www.hrw.org/report/2019/06/19/crackdown-nicaragua/torture-ill-treatment-and-prosecutions-protesters-and>.

⁷⁵ The United Nations Working Group on Arbitrary Detention determined that Mr. Brenes' detention was arbitrary (Opinion No. 16/2019).

⁷⁶ IACHR, Resolution 17/2021, Precautionary Measure No. 1076-18, *Carlos Ramón Brenes Sánchez and his immediate family regarding Nicaragua*, 25 February 2021.

critical of the Government, including persons who had already been detained on political grounds.⁷⁷ At the time of his arrest, Mr. Brenes suffered from diabetes and hypertension, among other chronic health conditions.

87. On 20 April 2026, the Inter-American Court of Human Rights extended provisional measures to the benefit of Mr. Brenes and Ms. Martínez to safeguard their rights to life, personal integrity, health and personal liberty.⁷⁸ In this resolution, the Court reported that Mr. Brenes and Ms. Martínez had been tried and sentenced to 15 years' imprisonment for treason to the homeland. As at 31 August 2026, Mr. Brenes and Ms. Martínez had been forcibly disappeared for over a year (383 days) despite their relatives' efforts to establish their whereabouts.

h. Ricardo José Mendoza Yrigoyen

88. Ricardo José Mendoza Yrigoyen (64) resided in Managua, travelled frequently to Spain and was in the process of obtaining the Spanish nationality; he did not engage in political or opposition activities.⁷⁹ On 23 January 2026, he was arrested without a warrant at his home during a police operation involving around 20 police officers. On 24 January, police officers returned to his residence and interrogated relatives and employees who were present. Their questions focused on the wife of Bayardo Arce Castaño – one of the nine commanders of the Sandinista revolution and former presidential adviser on economic affairs arrested on 30 July 2025 –, the alleged plans of Mr. Arce's family to leave the country and whether Mr. Mendoza had given them money to facilitate their departure. The police also searched the residence, took photographs and seized documents and personal belongings, including a safe containing several thousand dollars.

89. Despite their fear, Mr. Mendoza's relatives made repeated efforts to establish his whereabouts; they went to La Modelo, El Nuevo Chipote, the Public Prosecutor's Office and the headquarters of the National Prison Service, without obtaining responses. Persons living at Mr. Mendoza's home were evicted from the property. On 22 June 2026, the Inter-American Commission on Human Rights granted Mr. Mendoza precautionary measures.⁸⁰ As at 31 August 2026, Mr. Mendoza had been forcibly disappeared for over seven months (221 days) despite his relatives' efforts to establish his whereabouts.

i. Claudia Magaly Munguía Mayorga

90. Claudia Magaly Munguía Mayorga (54) is a business entrepreneur and shopkeeper who was a prominent opposition political activist until 2014 when she withdrew from political activity.⁸¹ On 14 July 2026, she was arrested without a warrant at her home in Chinandega by police officers and individuals in civilian clothing, who arrived in two police vehicles with Chinandega licence plates and an unmarked vehicle with Managua licence plates. The officers also confiscated her mobile phone and searched the premises. The police officers did not inform her relatives of the reasons for her detention. At the time of her arrest, Ms. Munguía suffered from hypertension and diabetes, and a few days earlier she had been diagnosed with cancer.

91. Ms. Munguía's relatives went to the Chinandega police station and detention centre where the authorities denied having her in custody. They also travelled to Managua and asked about her at the District III police station, El Nuevo Chipote and La Esperanza, without success. A few days before her detention, Ms. Munguía had a disagreement with an

⁷⁷ La Prensa, "Policía captura nuevamente a Coronel en retiro Carlos Brenes y a su esposa", 20 August, 2025, available at: <https://www.laprensani.com/2025/08/20/politica/3518274-policia-captura-nuevamente-al-coronel-en-retiro-carlos-brenes-y-a-su-esposa?>.

⁷⁸ Inter-American Court of Human Rights, Order, Extension of Provisional Measures, *Matter of Juan Sebastián Chamorro et al. regarding Nicaragua*, 20 April 2026.

⁷⁹ Interview HHIV274; and documents on file with the Group HHDOC1856; HHDOC1857; and HHDOC1858.

⁸⁰ IACHR, Resolution 50/2026, Precautionary Measure No. 933-26, *Ricardo José Mendoza Yrigoyen regarding Nicaragua*, 22 June 2026.

⁸¹ Interview HHIV312; and documents on file with the Group HHDOC1861; HHDOC1864; HHDOC1867; HHDOC1868; and HHDOC1869.

individual affiliated with the FSLN, who is also a member of her neighbourhood's Victory Unit,⁸² during which she had expressed her opposition to Government policies. As at 31 August 2026, Ms. Munguía Mayorga had been forcibly disappeared for 48 days, despite her family's persistent efforts to establish her whereabouts and legal status.

C. Chain of command

92. The Group has reasonable grounds to believe that enforced disappearances are not the result of isolated conduct by individual officials; rather they have been facilitated and prolonged through coordinated actions and omissions involving the National Police, the National Prison System, the Ministry of the Interior, the Public Prosecution's Office and the justice system. Senior officials responsible for places of detention have known that disappeared persons were – and continue to be – held in facilities under their authority and have nonetheless withheld information, restricted access and prevented independent verification of their situation.⁸³

93. Within the National Police, the Group established that the successive chiefs of the Legal Cooperation Directorate and the District III police station since 2018 have known that the detention centres under their responsibility (El Chipote/El Nuevo Chipote and District III, respectively) held disappeared persons in their cells. They repeatedly refused to provide information on the fate and whereabouts of these persons and instructed their subordinates to do the same.⁸⁴

94. Within the National Prison System, the Group similarly established that the successive directors of the prisons La Modelo, La 300 and La Esperanza since 2018 have known that disappeared persons were – and continue to be – held in facilities under their authority. They have constantly denied any information on these persons' fate or whereabouts and have instructed their subordinates to do the same. Further, the administrative deputy director general regularly supervised the situation of people deprived of liberty on political grounds held in La Modelo, La 300 and La Esperanza.⁸⁵

95. The treatment of habeas corpus petitions is a central element in the continuation of enforced disappearances.⁸⁶ Although habeas corpus is provided for under Nicaraguan law, and should serve to protect against unlawful detention, enforced disappearance and torture, the Group has documented practices by judicial authorities that delayed, obstructed or rendered the remedy ineffective. The Group established that, under the direction of its successive presidents, Criminal Chamber One of the Managua Court of Appeal, in particular, deliberately hindered or prevented the execution of habeas corpus petitions filed on behalf of persons arrested on political grounds in Managua.

96. The Group has previously found reasonable grounds to believe that the Co-Presidents exercise centralized control over State institutions responsible for detention and judicial processes through the presidential adviser on security and intelligence, the vice-president of the Supreme Court of Justice and, in the case of prison authorities, the Deputy Minister of the Interior.⁸⁷ The pattern of non-compliance with habeas corpus is consistent with that centralized control. The Group has not identified specific written orders signed by the Co-Presidents in individual habeas corpus cases. The attribution rests on the established command structure and the consistent pattern documented across multiple cases.

97. Consistent with the same centralized control structure, police and prison authorities systematically obstructed or disregarded the execution of habeas corpus writs in the rare cases where executing judges were appointed to enforce them. They prevented the judges from entering detention facilities, communicating with the persons concerned and consulting

⁸² About the Victory Units, see: A/HRC/58/CRP.8, paras. 320-331.

⁸³ A/HRC/58/CRP.8, paras. 476-484 and 511-513.

⁸⁴ Ibid., paras. 511.

⁸⁵ Ibid., paras. 512 and 513.

⁸⁶ Ibid., paras. 514-522.

⁸⁷ A/HRC/58/CRP.8, paras. 41, 521, 522, 890 and 942; and A/HRC/61/56, para. 85.

prison records. This non-compliance contributed directly to the continuation of enforced disappearances.

IV. Death in custody

98. The Group has documented the death in custody of eight men deprived of their liberty on political grounds since April 2018, seven of which it describes below (the death in custody of Brooklyn Rivera Bryan is examined separately in section V below). Most were older persons, between 52 and 77 years old at the time of their death.

99. The Group recalls that, owing to the control that State actors exercise over detainees, States are generally presumed responsible for the death of individuals held under their custody,⁸⁸ unless they discharge that presumption through an effective investigation initiated ex officio by an independent authority.⁸⁹ The participation of family members, who should be provided with all the relevant documentation,⁹⁰ is an important element of an effective investigation.⁹¹ States also have a heightened duty of care towards persons deprived of their liberty and they assume the responsibility for their lives and bodily integrity.⁹² This duty includes providing detained persons with the necessary medical care⁹³ and appropriate regular monitoring of their health.⁹⁴ The Group recalls that, as a general rule, persons with serious or chronic diseases should not remain in prison establishments, unless a State can guarantee access to specialized care and treatment.⁹⁵ Depending on the specific circumstances, a failure to provide prompt access to health care of prisoners can amount to torture or cruel, inhuman or degrading treatment.⁹⁶

100. Based on the information available to it, the Group has reasonable grounds to believe that no independent and effective investigations were conducted by the authorities to establish the circumstances and causes of at least five of the seven deaths described in this section or to determine institutional and individual responsibilities. In two cases, the Group could not verify, according to its methodology, if investigations in line with international

⁸⁸ “When an individual dies in custody, there is a presumption of State responsibility.” (Special Rapporteur on extrajudicial, summary or arbitrary executions, A/61/311, para 50). “Thus, there is a rebuttable presumption of state responsibility — whether through acts of commission or omission — for custodial deaths. The state must affirmatively show that it lacks the responsibility to avoid this inference, and has an obligation to investigate and publicly report its findings and evidence supporting them.” (Secretary General, A/68/261, para. 52). See also A/HRC/32/39, para. 99; Human Rights Committee, *Dermot Barbato v. Uruguay*, CCPR/C/17/D/84/1981, para. 9.2; and European Court of Human Rights, *Tanli v. Turkey*, Application No. 26129/95, Judgment, 28 August 2001, para. 142.

⁸⁹ Inter-American Court of Human Rights, *Vera Vera v. Ecuador*, Judgment, 19 May 2011, para. 87; and Minnesota Protocol on the Investigation of Potentially Unlawful Deaths (hereinafter Minnesota Protocol), revised version, 2016, para. 17.

⁹⁰ This includes the death certificate, medical report and reports on the investigation held into the circumstances surrounding the death (see general comment No. 36, para. 28; and Minnesota Protocol, para. 35). Family members are also entitled to receive the human remains (Minnesota Protocol, para. 37).

⁹¹ Minnesota Protocol, para. 35; and A/HRC/21/46, para. 54.

⁹² Human Rights Committee, general comment No. 36, para. 25.

⁹³ Health care should be provided to prisoners free of charge (Standard Minimum Rules for the Treatment of Prisoners (hereinafter Nelson Mandela Rules), rule 46(1)) and has to be provided in a timely and appropriate manner (Committee on Economic, Social and Cultural Rights, general comment No 14 (2000), E/C.12/2000/4, para.11, read in conjunction with para. 34). Medical personnel shall give particular consideration to any person placed in solitary confinement and ensure the provision of prompt medical assistance as requested (Nelson Mandela Rules, rule 46(1)).

⁹⁴ Human Rights Committee, general comment No. 36, para. 26, and *Lantsova v. Russian Federation*, CCPR/C/74/D/763/1997, para. 9.2; and European Court of Human Rights, *Kudla v. Poland*, Judgment, 20 October 2000, paras. 93-94.

⁹⁵ Inter-American Court of Human Rights, *Chinchilla Sandoval et al. v. Guatemala*, Preliminary Objection, Merits, Reparations and Costs, Judgment, 29 February 2016, para. 184.

⁹⁶ Inter-American Court of Human Rights, *Mendoza et al. v. Argentina*, Preliminary Objections, Merits and Reparations, Judgment, 14 May 2013, para. 190; and European Court of Human Rights, *Salakhov and Islyamova v. Ukraine*, Judgment, 14 June 2013, paras. 112-157.

standards had taken place. The State of Nicaragua's failure to investigate these deaths constitutes a violation of the victims' right to life as enshrined in article 6 of the ICCPR. The additional legal conclusions specific to the circumstances of each death are included at the end of each case.

A. Eddy Antonio Montes Praslin

101. Eddy Antonio Montes Praslin (57 years old at the time of his death) was killed by gunshot on 16 May 2019 in cell block 16 of the Jorge Navarro prison complex, known as La Modelo.⁹⁷ Mr. Montes was a dual Nicaraguan and US citizen and a US navy veteran. He had recently obtained his law degree from a Nicaraguan university. He participated in the 2018 protests in Matagalpa, where he lived, and provided legal and humanitarian support to victims of human rights violations. He had also complained to the police about the occupation of one of his properties by FSLN supporters. On 7 October 2018, he was summoned to the police station in Matagalpa regarding the property matter. There he was arrested and sent to the facilities of the Legal Cooperation Directorate in Managua, known as El Chipote.

102. When relatives first went to ask about Mr. Montes, the authorities denied they had arrested him. They were only informed of his whereabouts several weeks after his detention. By that time, he had already been transferred to La Modelo. Mr. Montes was accused of "terrorism in conjunction with obstruction of public services", among other charges.⁹⁸ He attended only one court hearing before his death, on 23 November 2018. One of the oldest persons held in cell block 16, fellow inmates said that he was like a spiritual adviser to them, also often mediating problems. Many of them called him "pastor".

103. Several days before the shooting, the inmates of cell block 16 broke out of their cells and occupied the block's courtyard to protest their detention conditions, including arbitrary searches, beatings and other abuses. Some testimonies refer to overcrowding in the blocks, with twice as many inmates as their capacity. This occupation was ongoing, when on 16 May 2019 around 2 p.m., a commotion arose in front of one of the courtyard's fenced gates between a few inmates on one side and prison guards on the other. Mr. Montes had approached the gate when one of the guards started shooting his gun. He was hit on his side in the groin area. Several inmates tried to help him and carried him away from the gate. They had to repeatedly call for medical assistance before the prison authorities stepped in and took Mr. Montes away. According to the Ministry of the Interior, Mr. Montes was "immediately" transferred to the closest medical centre where he passed away at 4.05 p.m. despite the resuscitation procedures provided.⁹⁹ Several witnesses said, however, that assistance was not provided promptly.

104. Immediately following the incident, hundreds of officers of the Tactical Operations Directorate (at least 400 according to some witnesses), who had been on stand-by, stormed cell block 16, shooting tear gas as well as their firearms (assault rifles AK-47). They pepper-sprayed and severely beat the other inmates with bats and metal rods. Some inmates threw stones in response but were otherwise unarmed. The arrival of an ICRC delegation put an end to the thrashing. Dozens of inmates were injured.¹⁰⁰

105. The Ministry of the Interior claimed that Mr. Montes had been shot while struggling with a guard who acted in self-defence.¹⁰¹ Mr. Montes' family requested an independent autopsy which was conducted on 18 May 2019 and concluded that Mr. Montes had died of a

⁹⁷ Interviews BBIV1015; BBIV1021; DDIV022; EEIV004; EEIV005; EEIV009; EEIV014; EEIV024; EEIV027; EEIV045; EEIV122; EEIV211; EEIV214; EEIV218; HHIV222; and HHIV145; and documents on file with the Group BBD0C3348; EED0C269; and EED0C275.

⁹⁸ Ministry of the Interior, second press release, 16 May 2019, available at: <https://www.migob.gob.ni/segunda-nota-de-prensa/>.

⁹⁹ Ministry of the Interior, press release, 16 May 2019, available at: <https://www.el19digital.com/articulos/ver/titulo:90215-nota-de-prensa-del-ministerio-de-gobernacion-2>.

¹⁰⁰ Divergentes, "En memoria de don Eddy Montes, a cuatro años de su asesinato", 16 May 2023, available at: <https://www.divergentes.com/en-memoria-de-eddy-montes-por-nahiroby/>.

¹⁰¹ Ministry of the Interior, press release, 16 May 2019.

massive haemorrhage caused by a high-calibre bullet, which entered in the lower left quadrant of the abdomen (inguinal and pelvic region) and exited at the level of the upper inner quadrant of the left gluteus maximus, shot from a long distance, contradicting the authorities' statement.¹⁰² All witnesses to Mr. Montes' death interviewed by the Group also refuted the Government's version of events. Immediately after his funeral, relatives in Matagalpa were kept under police surveillance and received threats from pro-government individuals.

106. In observations sent to the Inter-American Commission on Human Rights for its 2019 annual report, the State of Nicaragua stated that "the National Police took the appropriate investigatory steps. Two parallel investigations were carried out into the same events, taking into consideration the criminal conduct, victims and persons under investigation." The State also reported to the Commission that the Public Prosecutor's Office had also received a complaint from a relative of Mr. Montes, which was processed for investigation by the police and joined into one with the investigation already opened, but that it had been archived since the case fell within the scope of application of the 2019 Amnesty Act (Act No. 996).¹⁰³

107. The Group has reasonable grounds to believe that the killing of Eddy Antonio Montes Praslin by a prison guard was not an act of self-defence and, therefore, constitutes a violation of his right to life as enshrined in article 6 of the ICCPR. As confirmed by witness testimonies, Mr. Montes and the other detainees were unarmed at the time of the incident, and the independent forensic report contradicted the authorities' account of a close-range struggle. The State of Nicaragua further failed to comply with its obligation to investigate the death in custody.

B. Santos Sebastián Flores Castillo

108. Santos Sebastián Flores Castillo (52) died in La Modelo on 8 November 2021 as he was serving a 15 years' prison sentence.¹⁰⁴ Mr. Flores was a Nicaraguan lawyer and notary public. On 4 February 2013, the Public Prosecutor's Office filed an indictment against him for aggravated sexual violence. He was arrested on 17 June 2013 by the police and sent to La Modelo. In August 2013, he was tried and sentenced to 15 years' imprisonment for aggravated rape.¹⁰⁵ His family has maintained that the accusations against him had been fabricated in retaliation for having accused President Daniel Ortega of sexually abusing his sister Elvia Junieth Flores Castillo while she was a minor.¹⁰⁶ The State rejected this account and affirmed that Mr. Flores' conviction was lawful.¹⁰⁷

109. In 2015, Mr. Flores' sister and mother, Elpidia Castillo, reported that he was being subjected to acts of torture and inhuman conditions of detention and filed complaints with prison and other national authorities, civil society organizations and, on 17 November 2015, the Inter-American Commission on Human Rights.¹⁰⁸ In June 2019 and February 2020, they submitted additional information to the Commission on Mr. Flores' detention conditions, including his reported solitary confinement in a maximum-security cell, the administration of medication against his will, and his deteriorating health. The Commission concluded that,

¹⁰² The Group obtained a copy of the forensic report.

¹⁰³ IACHR, *Annual Report 2019*, chapter IV.B, "Nicaragua", para. 185.

¹⁰⁴ Interviews BBIV782; BBIV1032; and BBIV1033; and BBIV1034; documents on file with the Group BBD0C3383 and BBD0C3384; IACHR, Petition 2192-15, Admissibility report, 7 September 2021; Referral note to the Inter-American Court of Human Rights, Case No. 14.679, Santos Sebastián Flores Castillo, Nicaragua; and IACHR, *Annual Report 2024*, paras. 390-398.

¹⁰⁵ *Diario Las Américas*, "Denuncian que Daniel Ortega tuvo relaciones con una menor", 8 October 2015, available at: <https://www.diariolasamericas.com/america-latina/denuncian-que-daniel-ortega-tuvo-relaciones-una-menor-n3384281>; and Expediente Público, "Cronología de polémicas judiciales", 19 October 2019, available at: <https://www.expedientepublico.org/cronologia-de-polemicas-judiciales/>.

¹⁰⁶ Interviews BBIV782; BBIV1032; BBIV1033; and BBIV1034; documents on file with the Group BBD0C3384; and BBD0C3385; and IACHR, Petition 2192-15, Admissibility report, 7 September 2021, paras. 1-3.

¹⁰⁷ IACHR, Petition 2192-15, Admissibility report, 7 September 2021, paras 8-10.

¹⁰⁸ Interview BBIV1032; and IACHR, *Annual Report 2024*, paras. 390-393.

despite the repeated allegations of physical and psychological torture of Mr. Flores, the authorities had failed to initiate an effective investigation.¹⁰⁹

110. On 8 November 2021, the authorities informed Mr. Flores' relatives of his death.¹¹⁰ According to the documentation reviewed by the Inter-American Commission on Human Rights, his relatives were initially informed that he had died of a heart attack, while the death certificate issued by the Ministry of Health indicated acute pulmonary oedema as the immediate cause of death. Mr. Flores' family questioned the credibility of this explanation after having received his body and observed injuries and bruising on his neck, chest and left arm, a severed tongue and other marks which, in their view, were consistent with acts of torture. Upon examining photographs of Mr. Flores' body, the Commission observed a dark purple mark around the neck, an open wound on the left arm and various other marks on the rest of his body.¹¹¹ The Commission noted that it did not have access to an autopsy report that could explain the marks and injuries observed or the causes of and circumstances surrounding Mr. Flores' death.

111. On 22 July 2024, the Inter-American Commission on Human Rights filed an application before the Inter-American Court of Human Rights with regard to Nicaragua in the case concerning the torture suffered by Mr. Flores and his subsequent death while deprived of liberty. In its Merits Report 106/23, the Commission concluded that the State of Nicaragua was liable for violations of the "rights to life, personal integrity, a fair trial, honor and dignity, family protection, and judicial protection", enshrined in the American Convention on Human Rights, as well as violations of the Inter-American Convention to Prevent and Punish Torture.¹¹² The case is pending before the Court.

112. While it could not verify the circumstances of Mr. Flores' death according to its methodology, the Group has reasonable grounds to believe that the State of Nicaragua failed to take appropriate measures to protect Mr. Santos' life in violation of article 6 of the ICCPR. The State of Nicaragua also failed to comply with its obligation to investigate the death in custody.

C. Jorge Hugo Torres Jiménez

113. Jorge Hugo Torres Jiménez (73) died in State custody in the hospital Carlos Roberto Huembes in Managua on 12 February 2022.¹¹³ Mr. Torres was a former Sandinista military leader (known as "comandante uno") who fought against the dictatorship of Anastasio Somoza Debayle, and participated in some of the FSLN's landmark military operations, including a 1974 kidnapping which secured the release of a number of imprisoned Sandinistas, among them Daniel Ortega, and the seizure of Nicaragua's National Palace in 1978. During the first Sandinista Governments (1979-1990), he served as Deputy Minister

¹⁰⁹ IACHR, *Annual Report 2024*, para. 393.

¹¹⁰ Interview BBIV1032; and Referral note to the Inter-American Court of Human Rights, Case No. 14.679, Santos Sebastián Flores Castillo, Nicaragua.

¹¹¹ Interviews BBIV1032; BBIV1033; and HHIV310; IACHR, *Annual Report 2024*, paras 397-398; Confidencial, "Gobierno calla ante muerte de abogado que denunció a Ortega de violación", 13 November 2021, available at: <https://confidencial.digital/politica/gobierno-calla-ante-muerte-de-abogado-que-denuncio-a-ortega-de-violacion/>; and Nicaragua Investiga, "Herido y sin lengua: Santos Flores denunció por abuso sexual a Ortega", 4 October 2024, available at: <https://nicaraguainvestiga.com/nacion/154785-herido-sin-lengua-santos-flores-abuso-ortega/>.

¹¹² IACHR, press release, "IACHR files application before Inter-American Court of Human Rights in case concerning torture and death of incarcerated man in Nicaragua", 2 October 2024.

¹¹³ Interviews AAIV048; AAIV050; BBIV058; CCIV025; CCIV056; EEIV336; EEIV337; and HHIV224; documents on file with the Group AADOC037; AADOC038; and AADOC221; Public Prosecutor's Office, press release 002-2022, 12 February 2022, available at: <https://www.el19digital.com/articulos/ver/125327-ministerio-publico-informa-el-fallecimiento-de-jorge-hugo-torres-jimenez>; Nicaragua Investiga, "Hugo Torres, el hombre que liberó a Ortega y este le pagó dejándolo morir como preso", 20 February 2023, available at: <https://nicaraguainvestiga.com/reportajes/110014-hugo-torres-daniel-ortega-carcel-morir/>; and Artículo 66, "Fallece el prisionero político Hugo Torres Jiménez", 12 February 2022, available at: <https://www.articulo66.com/2022/02/12/fallece-el-prisionero-politico-hugo-torres-jimenez/>.

of the Interior and Chief of State Security, and later as brigadier general in the army. In 1995, he broke from the FSLN and founded the political party Movimiento Renovador Sandinista (MRS) with other FSLN dissidents. In 2011, he was elected to the Central American Parliament. He was increasingly critical of President Ortega and his Government, particularly after the brutal 2018 crackdown. At the time of his arrest, he was vice-president of MRS, which had changed its name to UNAMOS (Unión Democrática Renovadora).

114. On 13 June 2021, officers of the Police Special Operations Directorate burst into Mr. Torres' home without a warrant. They arrested him, threatened the other persons present and searched his property. Several UNAMOS figures were arrested on the same day. The police later announced that Mr. Torres was being investigated for "undermining independence, sovereignty and self-determination" and "harming the nation's supreme interests", among other accusations.¹¹⁴ Mr. Torres was brought to the facilities of the Legal Cooperation Directorate, known as El Nuevo Chipote since February 2019, where he was detained incommunicado for over two months. His relatives lodged a habeas corpus petition to no avail.

115. The Inter-American Commission on Human Rights issued precautionary measures on behalf of Mr. Torres and six other persons on 30 August 2021, considering his rights to life, personal integrity and health were at risk of irreparable harm.¹¹⁵ On 4 November 2021, the Inter-American Court of Human Rights extended provisional measures to protect Mr. Torres, among other persons, considering, *prima facie*, that the criteria of extreme gravity, urgency and imminent danger of irreparable harm to his rights had been met.¹¹⁶

116. According to relatives and fellow inmates, Mr. Torres was in good health at the time of his arrest. They noted, however, a marked deterioration in his health from the end of October 2021, some three months after the beginning of his detention. At some point, Mr. Torres could barely walk and had to be taken to the bathroom on a wheelchair. All witnesses interviewed by the Group reported that he did not receive timely and appropriate health care and treatment as he was only taken to the detention centre's clinic, which was not properly equipped to attend to his health condition. On 12 December at night, Mr. Torres collapsed in his cell. Witnesses indicated that he seemed to have suffered some sort of seizure with convulsions. The guards carried him to the clinic, but he later was brought back to his cell where he continued to worsen.

117. On 13 December, he was taken to the clinic again and, on 14 December he was transferred to another cell. He was suffering from strong lower-back pain, his legs were swollen and he could not sleep. On 15 December, he fell and had to be helped up by his cell mate. Fellow inmates called for medical assistance. After a few hours, he was again taken to the clinic and later brought back to his cell where he continued to deteriorate. According to the witnesses, he could not eat, could not stand up without help and his legs were very swollen. On 17 December, Mr. Torres was taken to the clinic one more time and did not return to his cell; it is unclear when exactly he was transferred to the hospital where he passed away on 12 February 2022. The Public Prosecutor's Office said his death was "due to an illness" without providing any additional details.¹¹⁷

118. Several persons detained in El Nuevo Chipote said that access to healthcare improved following Mr. Torres' death.

119. The Group has reasonable grounds to believe that the State of Nicaragua failed to comply with its duty to provide adequate medical care and to regularly monitor the health of Jorge Hugo Torres Jiménez prior to his hospitalization in December 2021. His marked deterioration while in detention is an important factor in assessing the adequacy of the

¹¹⁴ Policía Nacional, press release No. 150-2021, available at: <https://www.policia.gob.ni/?p=69943>.

¹¹⁵ IACHR, Resolution 71/2021, Precautionary Measures Nos. 593-21, 665-21 and 680-21, *Ana Margarita Vijil Gurdián et al. for Nicaragua*, 30 August 2021.

¹¹⁶ Inter-American Court of Human Rights, Order, Extension of Provisional Measures, *Matter of Juan Sebastian Chamorro et al. regarding Nicaragua*, 4 November 2021.

¹¹⁷ Public Prosecutor's Office, press release 02-2022.

medical care that was provided.¹¹⁸ The State of Nicaragua, therefore, failed to take appropriate measures to protect Mr. Torres' life in violation of article 6 of the ICCPR. The State of Nicaragua also failed to comply with its obligation to investigate the death in custody.

D. José Modesto Solís Aguilar

120. According to media reports, José Modesto Solís Aguilar (54) died on 21 December 2023, three months after his release from La Modelo.¹¹⁹ He was arrested in May 2023 and brought to the police station of District III in Managua. Mr. Solís was then transferred to cell block 17 – and later cell block 16 – of La Modelo. The Group could not find information on the reasons for his arrest and whether any legal proceedings were brought against him.

121. During his detention, Mr. Solís' health deteriorated drastically.¹²⁰ According to fellow inmates, the cells were unsanitary, infested with mosquitoes, cockroaches and other insects, the food was of poor quality, access to water and health care was restricted and the lights were kept on all night. Guards also regularly threatened and psychologically abused detainees. Inmates said that Mr. Solís had low blood pressure and anaemia, and that he developed a fever that left him shivering until, at some point, he could no longer eat. About a month before his release, he was so emaciated that he could not stand on his own and other detainees had to carry him to the toilet. He often requested medical care, but, according to his fellow inmates, this was routinely refused by the prison authorities — and on the rare occasions he did receive care, it was inadequate for his condition.

122. When Mr. Solís was released, on 19 September 2023, witnesses say he was in critical condition. It is unclear if the guards of the National Prison System first brought him to a hospital or directly to the home of relatives, where he passed away on 21 December 2023. On the day of Mr. Solís' release, a group of political prisoners' relatives had issued a public statement denouncing the cruel and inhuman treatment of persons deprived of their liberty in La Modelo, including the lack of adequate medical care.¹²¹ The Group found no information indicating that the authorities conducted an investigation into his death.

123. While the Group could not verify the circumstances of his death according to its methodology, it has reasonable grounds to believe that the State of Nicaragua failed to provide adequate and timely health care to José Modesto Solís Aguilar during his detention.

E. Humberto Ortega Saavedra

124. Humberto Ortega Saavedra (77) died under State custody in the military teaching hospital Dr. Alejandro Dávila Bolaños in Managua on 30 September 2024.¹²² Mr. Ortega was

¹¹⁸ See European Court of Human Rights, *Farbtuhs v. Latvia*, Judgment, 2 December 2004, para. 57, and *Khudobin v. Russia*, no. 59696/00, Judgment, 26 January 2007, para. 84.

¹¹⁹ Interviews BBIV413; FFIV0005; FFIV021; and HHIV207; document on file with the Group BBDOC3113; Confidencial, “Salir de la cárcel a morir o vivir con enfermedades graves”, 27 October 2024, available at: <https://confidencial.digital/nacion/presos-politicos-de-nicaragua-salir-de-la-carcel-a-morir-o-graves/>; and Despacho 505, “Denuncian tardía atención médica como la causa de muerte del preso político José Modesto Solís”, 29 April 2026, available at: <https://despacho505.com/nacionales/17909-muere-el-preso-politico-jose-modesto-solis-nicarag/>.

¹²⁰ Interviews BBIV413; FFIV0005; FFIV0021; and HHIV207; and document on file with the Group BBDOC3113.

¹²¹ Artículo 66, “Presos políticos en ‘La Modelo’ siguen siendo víctimas de tratos inhumanos, denuncian sus familiares”, 19 September 2023, available at: <https://www.articulo66.com/2023/09/19/presos-politicos-en-la-modelo-siguen-siendo-victimas-de-tratos-inhumanos-denuncian-sus-familiares/>.

¹²² Interviews EEIV311; HHIV072; HHIV205; and HHIV256; Presidency of the Republic, press release, 30 September 2024, available at: <https://www.el19digital.com/articulos/ver/156396-nota-del-grun-fallecimiento-del-general-en-retiro-humberto-ortega-saavedra>; Infobae, “Crece la tensión entre Daniel y Humberto Ortega: la historia de complicidades y rencores entre los hermanos sandinistas”, 25 May 2024, available at: <https://www.infobae.com/america/america-latina/2024/05/25/crece-la-tension-entre-daniel-y-humberto-ortega-la-historia-de-complicidades-y-rencores-entre-los-hermanos-sandinistas/>; Voz de América, “¿Por qué el hermano de Daniel Ortega está bajo resguardo de la

a former Sandinista military leader, who fought against the dictatorship of Anastasio Somoza Debayle. He was one of the nine members of the National Directorate formed in March 1979 to lead the FSLN. He served as Commander-in-Chief of the Sandinista Popular Army during the first Sandinista Governments (1979-1990) and then of the National Army (1990-1995) during the Government of Violeta Barrios de Chamorro. He also served as Minister of Defence from 1980 to 1995. He was the brother of Co-President Daniel Ortega.

125. Mr. Ortega was placed under de facto house arrest (commonly known as *casa por cárcel*) on 19 May 2024, hours after the publication of an interview he gave to online media Infobae in which he was critical of the “dictatorial” Government and suggested that, in the event of the death of his brother, there would be a power vacuum in Nicaragua with no obvious successor, and that a transitional period towards elections would be needed.¹²³ This reportedly infuriated then Vice-President Rosario Murillo, his expected successor. The police surrounded Mr. Ortega’s home in Managua and seized all his means of communication, including his mobile phones, computers, radios and televisions. They prohibited all visits, including from family, and removed his close protection team.¹²⁴ On 28 May 2024, President Ortega declared his brother Humberto Ortega “traitor to the homeland” during an official ceremony held in the presence of the senior leadership of the army and the police and broadcast on national television.¹²⁵

126. Mr. Ortega had lost much of the use of his hands and fingers in a guerilla operation in 1969. At the time of his arrest, he was in precarious health condition, suffering from chronic high blood pressure, type 2 diabetes, chronic atrial fibrillation, peripheral vascular disease and acute chronic heart failure, but he was prevented from receiving his medical treatment at the Vivian Pellas private hospital. In early June 2024, lesions appeared on his legs, signs of an infection.¹²⁶

127. On 29 September 2024, the Military Hospital issued a press release reporting that Mr. Ortega had been brought to the hospital on 11 June 2024 with signs of sepsis and heart failure. He was placed in intensive care where his condition stabilized and then transferred to the inpatient ward under the care of a multidisciplinary team. The Hospital said that, on 29 September, Mr. Ortega had experienced “an abrupt deterioration in his condition, with cardiogenic shock and altered consciousness, which required intensive care treatment to maintain blood pressure levels”.¹²⁷ He died on 30 September 2024.¹²⁸ He had been held incommunicado at his home and then the hospital until the time of his passing.

policía en Nicaragua?”, 22 May 2024, available at: <https://www.vozdeamerica.com/a/que-pasa-entre-daniel-ortega-y-su-hermano-el-ex-jefe-del-ejercito-humberto-ortega/7620843.html>; and El País, “Humberto Ortega, former Sandinista military strategist persecuted by the Ortega-Murillo regime, dies”, 30 September 2024, available at: <https://english.elpais.com/international/2024-09-30/humberto-ortega-former-sandinista-military-strategist-persecuted-by-the-ortega-murillo-regime-dies.html>.

¹²³ Infobae, “Humberto, hermano de Daniel Ortega: ‘Su poder dictatorial no tiene sucesores, tras su muerte deberá haber elecciones’”, 19 May 2024, available at: <https://www.infobae.com/america/america-latina/2024/05/19/humberto-hermano-de-daniel-ortega-su-poder-dictatorial-no-tiene-sucesores-tras-su-muerte-debera-haber-elecciones/>.

¹²⁴ Confidencial, “‘Soy prisionero político’: La última proclama de Humberto Ortega Saavedra”, 1 October 2024, video available at: <https://www.youtube.com/watch?v=Z2MJ87bIehk>.

¹²⁵ Confidencial, “Ortega se refiere a su hermano como traidor a la patria, aunque evita mencionarlo por su nombre”, 28 May 2024, available at: <https://confidencial.digital/politica/daniel-ortega-califica-a-su-hermano-humberto-ortega-traidor-patria/>.

¹²⁶ Confidencial, “‘Soy prisionero político’: La última proclama de Humberto Ortega Saavedra”,; and National Army-Military Medical Corps, press release, available at: <https://www.infobae.com/america/america-latina/2024/09/30/humberto-ortega-hermano-del-dictador-de-nicaragua-esta-internado-en-grave-estado/>.

¹²⁷ National Army-Military Medical Corps, press release, available at: <https://www.infobae.com/america/america-latina/2024/09/30/humberto-ortega-hermano-del-dictador-de-nicaragua-esta-internado-en-grave-estado/>.

¹²⁸ Obituary, 30 September 2024, available at: <https://www.el19digital.com/articulos/ver/156394-nota-de-duelo-suscrita-por-hijos-del-general-en-retiro-humberto-ortega-saavedra>; and Presidency of the Republic, press release, 30 September 2024, available at: <https://www.el19digital.com/articulos/ver/156396-nota-del-grun-fallecimiento-del-general-en-retiro-humberto-ortega-saavedra>.

128. In an audio message recorded on a hidden mobile phone three weeks after the start of his house arrest, but not released until after his death, Mr. Ortega told Nicaragua's *Confidencial* news outlet that he considered himself a "political prisoner". He warned that his precarious health condition and the stress of his house arrest could "produce a fatal outcome at any moment."¹²⁹

129. Mr. Ortega's partner, Angélica Patricia Chavarria Altamirano, was placed under house arrest on 19 May 2024 along with him. Her fate and whereabouts became unknown after Mr. Ortega's transfer to the hospital in June 2024 and until 22 May 2026, when the National Prison System released photos and a video of her.¹³⁰ In the video, Ms. Chavarria said she was detained in La Esperanza and that her rights had been respected.

130. While the Group could not verify the circumstances of the death of Humberto Ortega Saavedra according to its methodology, the case raises serious concerns as to whether timely and appropriate health care was provided to him while he was held incommunicado under house arrest. The Group recalls that, as a general rule, persons with serious or chronic diseases should not remain in prison establishments, unless a State can guarantee access to specialized care and treatment. The Group further recalls that incommunicado detention not only creates conditions for torture¹³¹ but can also itself amount to cruel or inhuman treatment or torture.¹³²

F. Mauricio Francisco Alonso Petri

131. The authorities returned the remains of Mauricio Francisco Alonso Petri (64), who died in State custody, to his relatives on 25 August 2025.¹³³ Mr. Alonso was an agronomist who had worked in various institutions between the 1980s and the mid-2000s. He joined the FSLN in 1978 in Jinotepe. In the 2000s, he quietly left the FSLN and became a prominent member of the opposition political party UNAMOS in the department of Carazo, which he had left at the time of his arrest. He was a member of the Christian Church La Roca and friends with the pastor, who was arrested together with family members on 17 July 2024. He was also a friend of Roberto Samcam, a retired Nicaraguan army major and vocal critic of the Government murdered in exile in Costa Rica on 19 June 2025.

132. Mr. Alonso was arrested on 18 July 2025 in Jinotepe, together with his wife and son. Their detention took place in the context of large-scale police raids conducted before the commemoration of the Sandinista Revolution on 19 July. While his wife was released on the same day of the arrest, the authorities refused to reveal the fate and whereabouts of Mr. Alonso and his son. The Group was able to confirm that they were held separately in La Modelo at least during part of the duration of their detention.

¹²⁹ *Confidencial*, "'Soy prisionero político': La última proclama de Humberto Ortega Saavedra", 1 October 2024, video available at: <https://www.youtube.com/watch?v=Z2MJ87blehk>.

¹³⁰ Ministry of the Interior/National Prison System, press release, 22 May 2026, available at: <https://www.el19digital.com/articulos/ver/177396-nota-de-prensa-del-sistema-penitenciario-nacional-que-una-vez-mas-desmiente-las-fechorias-de-los-enemigos-de-la-paz>.

¹³¹ Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, E/CN.4/2003/68, para. 26(g).

¹³² Human Rights Committee, Communication No. 458/1991, CCPR/C/51/D/458/1991, para. 9.4, and *Arutyunyan v. Uzbekistán*, Communication 917/2000, CCPR/C/80/D/917/2000, para. 6.2; Inter-American Court of Human Rights, *Velásquez Rodríguez v. Honduras*, Judgment, 29 July 1988, para. 187; European Court of Human Rights, *Ilascu et al. v. Moldova and Russia*, Judgment, 8 July 2004, para. 432.

¹³³ Interviews BBIV782; BBIV926; BBIV1035; EEIV290; EEIV296; EEIV311; EEIV325; EEIV327; and EEIV329; documents on file with the Group BBD0C3394 to BBD0C3397; EEDOC1315; EEDOC1338; EEDOC1438; EEDOC1586; EEDOC1589; and EEDOC1685; IACHR, *Annual Report 2025*, chapter V.B Nicaragua, paras. 13 and 55; Grupo de Reflexión Excarcelados Políticos, "Mauricio Francisco Alonso Petri Asesinado bajo custodia de la Dictadura Entre el 21 y el 24 de agosto del 2026", 25 August 2026; and Divergentes, "Ortega-Murillo Regime Hands Over Body of Mauricio Alonso Petri, Abducted in July by Police in Jinotepe", 25 August 2025, available at: <https://www.divergentes.com/ortega-murillo-regime-hands-over-body-of-mauricio-alonso-petri-abducted-in-july-by-police-in-jinotepe/>.

133. Mr. Alonso was confined in a suffocatingly hot and overcrowded cell where he and a dozen of fellow inmates had to sleep on thin mats laid directly on the floor. He was not given the medicine he used to take regularly before his arrest. Witnesses said that, on 21 August, he seemed to suffer a heart attack. The inmates called for a doctor, who came, took his blood pressure and gave him a pill, saying he had an anxiety attack. Half an hour later, he suffered a second, stronger, attack including convulsions. When the doctor arrived, Mr. Alonso was unresponsive. Guards came in and took him away. Witnesses said that a few days earlier, he had been experiencing dizziness, palpitations, cardiac arrhythmia and a constant sense of unease. He was reportedly taken to the detention centre's clinic and then transferred to a hospital.

134. On 25 August 2025, 38 days after his arrest and enforced disappearance, Mr. Alonso's wife was contacted by the Institute of Forensic Medicine to identify her husband's body. He died between 21 and 25 August without knowing what had happened to his wife and children. The authorities did not inform Mr. Alonso's family of the circumstances and causes of his death, nor did they allow that the body be examined by an independent coroner. The family was unable to hold a wake and mass for the deceased. They had to hurriedly bury him in Jinotepe, under police surveillance. The fate and whereabouts of Mr. Alonso's son remained unknown until his conditional release on 10 January 2026.

135. The Group has reasonable grounds to believe that the State of Nicaragua is responsible for the enforced disappearance of Mauricio Francisco Alonso Petri. While the Group could not verify the cause of death of Mr. Alonso according to its standard of proof, the case raises serious concerns as to whether he was provided with timely and appropriate health care while in State custody. The State of Nicaragua also failed to comply with its obligation to investigate the death in custody.

G. Carlos Cárdenas Zepeda

136. The authorities returned the remains of Carlos Cárdenas Zepeda (52), who died in State custody, to his relatives on 28 August 2025.¹³⁴ Mr. Cárdenas was a lawyer who had a long career working in the judiciary and at the Comptroller-General's Office. In 2018, he took part in the National Dialogue as a legal adviser to the Episcopal Conference of Nicaragua. On 20 August 2018, he had been kidnapped by members of pro-government armed groups.¹³⁵

137. Mr. Cárdenas was arrested without a warrant on 19 August 2025 at his home in Managua. The authorities refused to reveal his fate and whereabouts and the reasons for his detention.

138. On 28 August 2025, the Institute of Forensic Medicine summoned Mr. Cárdenas' relatives to identify his body, less than two weeks after his arrest. The authorities did not inform his family of the circumstances and causes of his death.

139. The Group has reasonable grounds to believe that the State of Nicaragua is responsible for the enforced disappearance of Carlos Alberto Cárdenas Zepeda. While the Group could not verify the cause of death of Mr. Cárdenas according to its standard of proof, the case raises serious concerns as to whether he was provided with timely and appropriate health care

¹³⁴ Interviews BBIV791; and BBIV792; documents on file with the Group BBDOC2889; and EEDOC1438; IACHR, *Annual Report 2025*, chapter V.B Nicaragua, paras. 13 and 55; Nicaragua Investiga, "Dictadura entrega muerto a ex asesor de la Conferencia Episcopal", 30 August 2025, available at: <https://nicaraguainvestiga.com/nacion/163992-dictadura-entrega-muerto-a-ex-asesor-de-la-conferencia-episcopal/>; and Confidencial, "Dictadura entrega a segundo preso político fallecido en una semana", 30 August 2025, available at: <https://confidencial.digital/nacion/dictadura-entrega-a-segundo-presopolitico-fallecido-en-una-semana/>.

¹³⁵ La Prensa, "Paramilitares secuestran a exasesor de la Conferencia Episcopal Nicaragüense", 21 August 2018, available at: <https://www.laprensani.com/2018/08/21/nacionales/2462345-paramilitares-secuestran-ex-asesor-de-la-conferencia-episcopal-nicaraguense>; and 100% Noticias, "Paramilitares secuestran a asesor de la Conferencia Episcopal en el diálogo nacional", 20 August 2018, available at: <https://100noticias.tv/nacionales/92440-paramilitares-secuestran-carlos-cardenas-zepeda/>.

while in State custody. The State of Nicaragua also failed to comply with its obligation to investigate the death in custody.

V. The enforced disappearance and death in custody of Brooklyn Rivera Bryan

A. Context

140. Brooklyn Rivera Bryan was a prominent leader of the Miskito people and one of the founding figures and president of the regional indigenous political party Yapti Taspá Masraka Nanih Aslatakanka (hereinafter YATAMA). He was first elected deputy of the National Assembly for the Autonomous Region of the Northern Caribbean Coast in 2007. For over four decades, Mr. Rivera had advocated for the collective rights of Indigenous and Afrodescendant peoples on Nicaragua's Caribbean coast.

141. YATAMA was founded in 1987, during the civil war, by members of the Miskito, Mayangna and Rama Indigenous Peoples and communities of African descent living in the Caribbean coast of Nicaragua as a political and military organization.¹³⁶ On 2 February 1988, after taking up arms against the Sandinista Government, YATAMA signed an agreement with them marking the end of the hostilities. In 1995, it became a regional political party seeking solutions to the region's historical conflicts and tensions. In 2002, YATAMA entered an alliance with the FSLN, which was based, amongst other things, on the FSLN's commitment to advance the process of demarcation, titling and land regularization of Indigenous and Afrodescendant territories. This alliance gradually deteriorated as the Government failed to fulfil its commitments and tolerated escalating violence by non-Indigenous settlers (*colonos*) against Miskito communities on titled Indigenous lands. YATAMA also began denouncing electoral fraud following the 2014 regional elections, marking the definitive rupture of the alliance. It opposed the construction of the transoceanic canal as well. In February 2020, YATAMA joined the National Coalition, an alliance of opposition political parties and social groups.

142. After the 2014 split, Mr. Rivera was accused of selling Indigenous lands and supporting the use of violence in territorial conflicts, allegations that his defenders consider were part of a politically motivated defamation campaign against him.¹³⁷ On 21 September 2015, the National Assembly removed him from his parliamentary office and lifted his immunity. In November 2016, he was re-elected deputy of the National Assembly for the Autonomous Region of the Northern Caribbean Coast and took office on 9 January 2017. He was re-elected again in 2021 for the 2022-2026 term.

143. At the end of April 2018, YATAMA joined the large-scale protests taking place across the rest of the country by organizing marches calling for the Government to step down and demanding the rights of Indigenous Peoples and communities of African descent, especially territorial rights. The party resumed protests following allegations of fraud in the 2019 regional elections and the 2022 municipal elections. These demonstrations were systematically repressed by the police and pro-government armed groups, which used excessive force and arrested dozens of protestors, amongst other violations.¹³⁸

144. On 28 September 2023, the Nicaraguan Telecommunications and Postal Institute (hereinafter TELCOR) revoked the frequency licences of Indigenous community radios Yapti Taspá and Masraka Nanih Asla, linked to YATAMA, and, on 30 September, the police

¹³⁶ A/HRC/55/CRP.7, paras. 251-254; and 261.

¹³⁷ Interview BBIV955; El 19 Digital, "Brooklyn Rivera pierde su condición de diputado acusado de promover violencia y venta ilegal de tierras en el Caribe", 21 September 2015, available at: <https://www.el19digital.com/articulos/ver/titulo:33778-solicitan-desaforacion-de-brooklyn-rivera-por-promover-violencia-y-venta-ilegal-de-tierras-en-el-caribe>; and Divergentes, "El Taupla Brooklyn Rivera sobrevivió a todo, menos a la traición de los Ortega-Murillo", 9 September 2026, available at: <https://www.divergentes.com/taupla-brooklyn-rivera-sobrevivio-todo-menos-la-traicion-los-ortega-murillo/>.

¹³⁸ A/HRC/55/27, para. 59; and A/HRC/55/CRP.7, paras. 255-265.

occupied the radios' facilities. On 3 October 2023, the Supreme Electoral Council cancelled the legal status of YATAMA, alleging the party and its leaders had repeatedly acted in breach of the Act on the Defence of the People's Rights to Independence, Sovereignty and Self-Determination for Peace (Act No. 1055). Security forces seized the party's offices in Bilwi (Puerto Cabezas) and Waspam, in the Autonomous Region of the Northern Caribbean Coast.¹³⁹ Since 2022, the authorities have also revoked the legal status of over 100 Indigenous and Afrodescendant organizations and organizations working in support of Indigenous Peoples and people of African descent.¹⁴⁰ These measures contributed to limiting freedom of expression and dismantling civic space in the two autonomous regions of the Caribbean coast.

145. Various leaders and members of YATAMA were also victims of threats, harassment and smear campaigns by the police and pro-government individuals before and, especially after Mr. Rivera's arbitrary arrest in September 2023, when many were forced to hide or leave the country.¹⁴¹ Other Indigenous and Afrodescendant leaders, defenders and activists have also increasingly been subjected to harassment, threats, defamation campaigns, arbitrary detention, criminalization, prohibition to enter their own country and forced exile since April 2018.¹⁴²

B. Arbitrary arrest

146. In April 2023, Mr. Rivera participated in the twenty-second session of the United Nations Permanent Forum on Indigenous Issues in New York, United States of America. During the event, he denounced the situation of Indigenous Peoples in Nicaragua and the entry ban imposed in July 2022 on Anexa Brendalee Alfred Cunningham, an Indigenous leader member of the United Nations Expert Mechanism on the Rights of Indigenous Peoples. On 24 April 2023, he was prevented from boarding his flight back to Nicaragua in Houston, Texas. The airline informed him the Nicaraguan authorities¹⁴³ had prohibited his return to the country.¹⁴⁴

147. Mr. Rivera nevertheless entered Nicaragua clandestinely by land, from the Honduran Mosquitia, in early May 2023, a fact he confirmed in a pre-recorded public statement first transmitted on 18 May 2023 by the radio Yapti Tasba.¹⁴⁵ On 29 September 2023, individuals claiming to be workers of the Ministry of Health reportedly requested access to Mr. Rivera's residence in Bilwi, Autonomous Region of the Northern Caribbean Coast, to carry out fumigation work. Their access was refused. Shortly after, at around 8:30 a.m., uniformed police officers forced their way in and arrested him without presenting an arrest or search warrant. The chief of police in Bilwi was reportedly involved in the operation.¹⁴⁶ Mr. Rivera was transferred to an undisclosed location, taken at least part of the way in an ambulance of the Ministry of Health accompanied by patrol cars.¹⁴⁷

148. The police refused to inform Mr. Rivera's relatives of his whereabouts and the grounds for his detention. After much insistence, relatives were told extra-officially that Mr. Rivera was being transferred to Managua, but they could not confirm the information with official sources. At the request of Mr. Rivera's family, Nancy Elizabeth Henríquez James, substitute deputy of the National Assembly and president of YATAMA, searched for the

¹³⁹ A/HRC/55/CRP.7, paras. 280-284.

¹⁴⁰ A/HRC/55/27, para. 61; and A/HRC/55/CRP.7, paras. 327-334.

¹⁴¹ A/HRC/55/CRP.7, paras. 274-278.

¹⁴² *Ibid.*, paras. 289-326 and 335-342.

¹⁴³ As documented by the Group in previous reports, decisions concerning entry bans originate from the Ministry of the Interior (A/HRC/55/CRP.3, paras. 112 and 235-239).

¹⁴⁴ Interviews BBIV955; and DDIV185; and A/HRC/55/CRP.7, paras. 266 and 335.

¹⁴⁵ Interviews BBIV995; and DDIV185. The video statement is available at: <https://www.facebook.com/watch/?v=2609727412776368>.

¹⁴⁶ Interview BBIV955.

¹⁴⁷ Interviews BBIV955; BBIV970; BBIV1010; DDIV166; DDIV185; DDIV224; HHIV190; and document on file with the Group BBD0C3248; and DDD0C981.

leader at several detention centres in Managua, including La Modelo, El Nuevo Chipote and the District III police station, to no avail.¹⁴⁸

149. On 1 October 2023, the police arbitrarily arrested Ms. Henríquez. She was first held in the District III police station and later transferred to La Esperanza. Her whereabouts remained unknown until 11 October 2023. She then received family visits but was held in indefinite solitary confinement. She was transferred to house arrest on 23 March 2026.¹⁴⁹

150. Following Mr. Rivera's detention, family members were monitored, harassed and threatened; some had to flee the country to avoid being arrested.¹⁵⁰ At the time of his arrest, Mr. Rivera was suffering from a chronic cough and war-related lung damage for which he was taking various medicines; he also could only consume bottled water.

C. Enforced disappearance

151. From his arbitrary arrest on 29 September 2023 to his death on 30 May 2026, Mr. Rivera spent two prolonged periods forcibly disappeared.

152. On 9 October 2023, the Inter-American Commission on Human Rights granted Mr. Rivera precautionary measures after finding, on a prima facie basis, that there was a serious and urgent risk of irreparable harm for his right to life and physical integrity.¹⁵¹ The Commission requested Nicaragua to determine his fate and whereabouts, disclose his place and conditions of detention, allow access to his family and lawyers, provide necessary healthcare and investigate the events leading to his disappearance.¹⁵² The State did not respond.

153. On 1 February 2024, upon request by the Commission dated 19 December 2023, the Inter-American Court of Human Rights granted provisional measures in favour of Mr. Rivera, Ms. Henríquez and their families.¹⁵³ The Court ordered the State to release them immediately; officially disclose their location and conditions of detention; guarantee immediate access to healthcare, medication, adequate food, relatives and lawyers pending release; protect their lives, integrity, health and liberty; and refrain from reprisals against them, their relatives and representatives. The Court found that the lack of information concerning Rivera's whereabouts, legal proceedings, charges and health created a situation of extreme gravity, urgency and risk of irreparable harm.

154. According to new information obtained by the Group, a relative visited Mr. Rivera in March 2024 in La Modelo after months of enforced disappearance. The visitor was concerned Mr. Rivera had lost weight. Following this visit, and despite his relatives' relentless efforts to see him, Mr. Rivera's whereabouts were concealed again.¹⁵⁴

155. On 13 November 2024, during Nicaragua's Universal Periodic Review at the Human Rights Council, the State representatives stated that Mr. Rivera had been suspended from his seat in the National Assembly for having abandoned his parliamentary duties for over 60 consecutive days without justification. They further stated that the parliamentary immunity of Mr. Rivera and Ms. Henríquez had been suspended to allow for the conduct of investigations into serious crimes under domestic law, including treason, undermining national integrity, conspiracy and spreading false news, and that the Public Prosecutor's Office had presented an indictment that was admitted by the competent judicial authority.

¹⁴⁸ Interviews BBIV995; DDIV167; DDIV185 and DDIV224; and A/HRC/55/CRP.7, para. 267.

¹⁴⁹ Confidential, "Dictadura excarcela a Nancy Henríquez, exdiputada y presidenta del partido Yatama", 21 March 2026, available at: <https://confidencial.digital/politica/dictadura-excarcela-a-nancy-henriquez-exdiputada-y-presidenta-del-partido-indigena-yatama/>.

¹⁵⁰ Interviews BBIV955 and BBIV1010.

¹⁵¹ Resolution 59/2023, Provisional Measures No. 799-23 concerning Brooklyn Rivera Bryan in relation to Nicaragua, 9 October 2023, paras 37-39.

¹⁵² Ibid., para. 41.

¹⁵³ Inter-American Court of Human Rights, Order, Provisional Measures, *Brooklyn Rivera Bryan, Nancy Elizabeth Henríquez James and their families*, 1 February 2024.

¹⁵⁴ Interview HHIV311.

The authorities did not reveal Mr. Rivera's whereabouts or any other information about his detention, health condition and legal situation.¹⁵⁵

156. Mr. Rivera's second period of enforced disappearance ended with the visit of a relative in April 2025, but this was not made publicly known. From that date on, this relative was allowed to visit Mr. Rivera every two weeks until February 2026. The visitor was concerned by his continuous loss of weight.

157. In a joint communication sent on 22 August 2025, six United Nations special procedures mandate-holders expressed concern about Mr. Rivera's arbitrary arrest and detention and requested that the State of Nicaragua provide information about his fate and whereabouts. The Working Group on Enforced or Involuntary Disappearances had also contacted the Nicaraguan authorities about Mr. Rivera following their urgent action procedure but never received a response.¹⁵⁶

158. The Group denounced the arbitrary arrest, detention and enforced disappearance of Mr. Rivera in several reports and public documents since 2024.¹⁵⁷ On 12 March 2026, the Group sent a letter to the Government requesting information on his whereabouts, the grounds for his detention and his health status.¹⁵⁸ No response was received.

159. On 27 May 2026, two years and eight months after his detention, the Ministry of the Interior and the Ministry of Health issued a joint statement revealing the hospitalization of Mr. Rivera in the hospital Fernando Vélaz Paiz in Managua since 7 March 2026.¹⁵⁹ In this statement, the authorities publicly disclosed the whereabouts of Mr. Rivera for the first time since his arrest and released pictures of him at the hospital. The photographs show Mr. Rivera lying in a hospital bed, visibly emaciated, with a nasogastric tube inserted through his nose and bandaging consistent with a tracheostomy visible at his neck. Multiple intravenous lines and infusion pumps are set up beside the bed, indicating that he was receiving medication and/or nutrition intravenously. His hand appears bandaged. Ms. Henríquez and Lumberto Ignacio Campbell Hooker, president of the Supreme Electoral Council, also appear in some of the pictures, as well as other individuals the Group could not identify.

160. According to sources interviewed by the Group, Mr. Rivera was first admitted to the military teaching hospital Dr. Alejandro Dávila Bolaños in early March 2026, before being transferred to the hospital Fernando Vélaz Paiz.¹⁶⁰

161. In their joint statement published on 27 May 2026, the Ministries said that Mr. Rivera had presented recurring health episodes since entering State custody. The statement revealed that Mr. Rivera had been hospitalized at the Roberto Huembes Police Hospital between 30 September and 31 October 2023 — that is, right after his arrest on 29 September — and that, on 31 October, he had been transferred to La Modelo. It further reported that his respiratory condition deteriorated markedly following his transfer to the hospital Fernando Vélaz Paiz on 7 March 2026, attributing his condition to bacterial pneumonia (*Klebsiella pneumoniae*), pulmonary aspergillosis, and subsequently *Stenotrophomonas maltophilia* infection, requiring tracheotomy, mechanical ventilation and total parenteral nutrition; an abdominal CT scan and laparoscopy on 15 May 2026 revealed hepatic cirrhosis. The report made no mention of COVID-19. Rather than addressing the conditions of his detention, the statement attributed his declining health to his "living conditions and the constant travel related to his

¹⁵⁵ Human Rights Council, Consideration of the Universal Periodic Review, 4th cycle, Nicaragua, 13 November 2024, video available at: <https://webtv.un.org/en/asset/k1w/k1wx75ks0i> (All information and documentation about the Universal Periodic review is available at: <https://www.ohchr.org/en/hr-bodies/upr/ni-index>).

¹⁵⁶ AL NIC 2/2025.

¹⁵⁷ A/HRC/55/27, para. 61; A/HRC/58/26, para. 38; A/HRC/61/56, paras. 56 and 59; A/HRC/55/CRP.7, paras. 266-273.

¹⁵⁸ <https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/grhe-nicaragua/correspondence/ghren-c-2026-011.pdf>.

¹⁵⁹ Statement available at: <https://www.el19digital.com/articulos/ver/177578-informe-de-salud-de-brooklyn-rivera-bryan-del-ministerio-del-interior-y-ministerio-de-salud>.

¹⁶⁰ Interviews BBIV917; BBIV1027; and HHIV256.

work,” and closed by expressing hope, invoking God, that his health would continue to improve “for everyone’s peace of mind.”

162. The statement also noted that Ms. Henríquez had visited Mr. Rivera weekly, and that his son, Wailandin Rivera Solórzano, had visited fortnightly. Ms. Henríquez, who was in prison until 23 March 2026 and has been under house arrest since, was taken weekly to the hospital to see him from her house arrest. She did not visit him beforehand. His son Wailandin was not informed that Mr. Rivera had been hospitalized until later and was allowed to visit him on 30 May 2025, shortly before he passed away.

163. A second statement, issued by the Ministry of Health on 28 May, introduced for the first time a history of severe COVID-19 during the pandemic, attributed not to any medical record but to information provided by family members and close associates.¹⁶¹ The same statement reported findings from a neurological evaluation and ordered a magnetic resonance imaging (MRI) of the brain.

164. A third statement, issued on 29 May, reported that the MRI had identified lesions in the central nervous system, attributed to bloodstream spread of a drug-resistant bacterium, together with acute kidney injury and cardiac complications.¹⁶²

165. A fourth statement, issued on 30 May — the day Mr. Rivera died — concluded that there was “no major variation” in his condition, while describing neurological, respiratory, cardiovascular and renal complications consistent with multiple organ failure.¹⁶³

D. Death and ensuing incidents

166. On 31 May 2026, four days after the first statement, the Ministry of Health announced Mr. Rivera’s death in a statement titled “*Nos deja Brooklyn*” (“Brooklyn leaves us”). The Ministry stated that, despite “enormous and intense” medical efforts to restore his health, his physical and neurological deterioration was the result of a bacteria linked to COVID-19. It said he had been accompanied “with affection and faith” by Ms. Henríquez, his son Wailandin Rivera Solórzano, his sister Alda López Bryan, Reverend Adela Martínez of the Moravian Church and Mr. Campbell. The statement noted that the Ministry of Health and the Institute of Legal Medicine were carrying out the procedures to certify his death and it closed by extending condolences and prayers to his family, friends and companions on the Caribbean Coast, expressing hope for his “harmonious passage to the next plane of life.”¹⁶⁴ On 1 June 2026, Co-President Murillo publicly stated that Mr. Rivera had received medical and specialized care throughout his illness, as well as the support from his family.¹⁶⁵

167. No independent investigation was launched into his death or his conditions of detention, and no independent forensic autopsy was allowed. The claims made in the official statement cannot, therefore, be independently verified. The precise cause of Rivera’s death as well as the chronology of the deterioration of his health both remain to be established.¹⁶⁶

168. The authorities refused to release Mr. Rivera’s remains to his family who wanted to bury him, in accordance with Miskito traditions and his wishes, in his community on the Caribbean coast. Instead, the authorities controlled all arrangements of the wake, religious service and burial itself, which took place on 31 May 2026, in Managua, under police

¹⁶¹ Ministry of Health, “Nuevo Reporte de Salud del Hermano Brooklyn Rivera Bryan”, 28 May 2026, available at: <https://www.el19digital.com/articulos/ver/177671-minsa-nuevo-reporte-de-salud-del-hermano-brooklyn-rivera-bryan>.

¹⁶² Ministry of Health, press release, “Brooklyn Rivera Bryan hoy”, 29 May 2026, available at: <https://www.el19digital.com/articulos/ver/177724-brooklyn-rivera-bryan>.

¹⁶³ Ministry of Health, press release, “Brooklyn Rivera Bryan hoy”, 30 May 2026, available at: <https://www.el19digital.com/articulos/ver/177751-ministerio-de-salud-brooklyn-rivera-bryan-hoy-30-de-mayo>.

¹⁶⁴ Ministry of Health, “Nos deja Brooklyn”, 31 May 2026, available at: <https://www.minsa.gob.ni/centro-de-medios/noticias/nos-deja-brooklyn>.

¹⁶⁵ Rosario Murillo, “Con Brooklyn y sus familiares”, 1 July 2026, available at: <https://www.el19digital.com/articulos/ver/177788-con-brooklyn-y-sus-familiares?>.

¹⁶⁶ Interview BBIV955; and documents on file with the Group BBDOC3246; and EEDOC1558.

surveillance and in the presence of Government officials but without the meaningful participation of his family and community.¹⁶⁷

169. The Group documented the arbitrary arrest of six relatives and two close associates of Mr. Rivera following his death, between 31 May and early June 2026. At the time of this paper, the authorities had refused to acknowledge the detentions or provide any information on the whereabouts and legal status of these new victims of enforced disappearance.¹⁶⁸ These new repressive actions have spread fear among Mr. Rivera's remaining relatives and members of his community.

Assessment of the plausibility of the Government's account on the death of Brooklyn Rivera Bryan

170. Throughout the 32 months of his arbitrary detention, including two periods of enforced disappearance, the Government did not release any medical information to the family of Mr. Rivera. Information such as clinical records, laboratory results, antimicrobial susceptibility results, imaging, ventilator or intensive care records, penitentiary medical records, or autopsy findings have not been released or made available. In addition, no independent medical oversight of Mr. Rivera occurred at any point since his detention or during his time in State custody.

171. According to an independent assessment conducted by Physicians for Human Rights at the Group's request,¹⁶⁹ the diagnoses named in the Government's five statements on Mr. Rivera's health are individually plausible, and together are consistent with a chronically ill, malnourished patient sustained on a breathing machine, with end-stage liver disease and a hospital-acquired infection. Physicians for Human Rights found that the timing of the illness and the pattern of organisms identified both point to the infections having been acquired in custody or in hospital, rather than in the community. The Government itself reported that Mr. Rivera had multiple organ failure, involving four organ systems, in the days before his death. That is the severity stratum carrying the lowest survival in the published peer-reviewed medical literature.

172. The five statements are mutually inconsistent on the cause of death, however. This is most evident regarding COVID-19. It is absent from the detailed clinical narrative of 27 May, introduced on 28 May as a remote pandemic-era illness attributed to what family members said rather than to any medical record, and asserted on 31 May as the trigger of death, in terms Physicians for Human Rights found were "not medically coherent".

173. The 27 May report framed the course as ongoing treatment toward recovery. Within 72 hours, the Government's own reports documented brain and spinal cord lesions, brain swelling, sudden kidney failure, cardiac involvement, and death. The 30 May report, issued on the day Mr. Rivera died and following what it described as specialist assessments conducted that day, concluded there was "no major change in his condition". He died that evening. As Physicians for Human Rights observed, "either these reports misrepresented the gravity of a condition already known to the treating team, or a catastrophic deterioration occurred that was not clinically accounted for".

174. Central questions relating to Mr. Rivera's death remain unanswered – the precise cause and mechanism of death, the adequacy and timeliness of care over 32 months, and

¹⁶⁷ Interview BBIV955; El País, "El régimen de Ortega secuestra el cadáver del líder indígena Brooklyn Rivera, muerto bajo custodia estatal en Nicaragua", 2 June 2026, available at: <https://elpais.com/america/2026-06-02/el-regimen-de-ortega-secuestra-el-cadaver-del-lider-indigena-brooklyn-rivera-muerto-bajo-custodia-estatal-en-nicaragua.html>.

¹⁶⁸ Interviews BBIV955, BBIV966, BBIV1007, BBIV1010. Nicaragua Investiga, "Familiares de Brooklyn Rivera cumplen 33 días bajo arresto clandestino", 3 July 2026, available at: <https://nicaraguainvestiga.com/politica/172074-familiares-de-brooklyn-rivera-cumplen-33-dias-bajo-arresto-clandestino/>; Artículo 66, "Dictadura arresta a otras cinco personas cercanas a Brooklyn Rivera", 10 June 2026, available at: <https://www.articulo66.com/2026/06/10/dictadura-arresta-cinco-personas-brooklyn-rivera/>.

¹⁶⁹ Memorandum to Group of Human Rights Experts on Nicaragua from Michele Heisler, MD, MPA, Kutsche Memorial Research Professor of Internal Medicine & Professor of Public Health, University of Michigan Medical School and Medical Director of Physicians for Human Rights, 25 August 2026.

whether neglect contributed to a preventable death. The conditions that would permit answering them were foreclosed by the Government's actions, including through expedited burial of the remains without family consent. No prompt, independent and transparent investigation has occurred.

E. Chain of command

175. The Group has reasonable grounds to believe that officials of the National Police, the National Prison System, the Ministry of Health and the Public Prosecutor's Office collaborated in the arbitrary arrest, detention and enforced disappearance of Mr. Rivera.

176. The National Police arrested Mr. Rivera without presenting a judicial warrant and failed to inform his relatives of the reasons for his detention and his place of detention.

177. The Group has reasonable grounds to believe that during most of his enforced disappearance Mr. Rivera was detained in La Modelo, where the prison management and staff ensured that he was detained separately from other prisoners, so that no information about his status could leak, and that no information would be given to his relatives.

178. The Public Prosecutor's Office failed to investigate the enforced disappearance of Mr. Rivera, and, by doing so, facilitated the concealment of his whereabouts and shielded the perpetrators from accountability. The Public Prosecutor's Office also failed to conduct an independent investigation into Mr. Rivera's death in State custody, thus preventing a determination of the exact causes of his death and the potential responsibility of State actors.

179. The Ministry of Health refused to make the medical records of Mr. Rivera accessible to his relatives and, thereby, helped to conceal potential evidence about his death. The Ministry also contributed to concealing his whereabouts.

180. Despite the high-profile nature of the case, media coverage, inquiries from human rights organizations and the references made by Government representatives during the consideration of the national report under the Universal Periodic Review to the charges against Mr. Rivera, the authorities refused to allow his family to visit regularly until April 2025 and to publicly disclose information about his whereabouts until a few days before his death. In addition, despite formal interventions about the case by the Inter-American Commission on Human Rights and the Inter-American Court of Human Rights since 2023, the authorities failed to comply with the protection measures that had been mandated, which the Court considered a case of contempt.

181. These actions form part of a coordinated institutional pattern that the Group has previously found to operate under the centralized control of the Co-Presidents. In its earlier findings, the Group established that Co-Presidents Ortega and Murillo exercise decision-making authority or give their consent over the main patterns of repression, and that the relevant State institutions implement instructions originating from that level.¹⁷⁰ The Group has not identified evidence of a specific order issued by the Co-Presidents in this individual case. The attribution of responsibility rests on the established centralized command structure and the consistency of the *modus operandi* with the broader pattern documented since 2018.

182. Given the exceptional international attention Mr. Rivera's case attracted — including precautionary and provisional measures from the Inter-American Commission and Court, and diplomatic démarches from multiple States — and the Group's finding that the Co-Presidents exercise centralized control over the institutions responsible for his detention, it is also reasonable to conclude that the Co-Presidents were aware of his situation and, despite that awareness, failed to act to disclose his fate, ensure his access to adequate and timely medical care, or comply with the international protection measures ordered on his behalf.

¹⁷⁰ A/HRC/58/CRP.8, paras. 41, 890 and 942; and A/HRC/61/56, para. 85 and Annex I.

F. Human rights violations and State responsibility

183. The Group has reasonable grounds to believe that the State of Nicaragua is responsible for Mr Rivera's arbitrary arrest and enforced disappearance. The authorities placed him completely outside of the protection of the law and violated his rights to life, liberty and security, to be treated with humanity, not to be subjected to torture and to recognition as a person before the law, enshrined in articles 6, 7, 9, 10 and 16 of the ICCPR, articles 2 and 16 of UNCAT, as well as articles 3, 4, 5, 7 and 8 of the American Convention on Human Rights.

184. Although the Group could not establish the cause of death of Mr. Rivera, there are indications that the State of Nicaragua failed to provide him with adequate and timely medical assistance as a response to the deterioration of his state of health in detention. As noted above (see paragraph 99), States have a duty to provide detained persons with the necessary medical care and appropriate regular monitoring of their health¹⁷¹ and the failure to do so in an adequate and timely manner can amount to torture or cruel, inhuman or degrading treatment.¹⁷² Both the Inter-American Court of Human Rights and the Inter-American Commission on Human Rights had established that Mr. Rivera's life and physical integrity were at risk, yet the State failed to take any protection measures.

185. The State of Nicaragua further failed to conduct a prompt, independent and effective investigation into Mr. Rivera's death in custody, in violation of its procedural obligations under the right to life. The State of Nicaragua also failed to ensure the participation of family members in any investigation and there are reasonable grounds to believe that the State hindered Mr. Rivera's relatives' access to relevant documentation, including medical records, and prevented them from obtaining his human remains. The Government controlled the funeral and burial arrangements, in violation of Mr. Rivera's relatives' and community's right to mourn and conduct funeral rites in accordance with their cultural and religious beliefs and practices. This failure to investigate, combined with the expedited burial of his remains without family consent, forecloses independent verification of the cause of death and reinforces the presumption of State responsibility that applies to deaths in custody, a presumption the State has made no effort to rebut.

186. Mr. Rivera's removal from public life, the dismantling of YATAMA, the closure of Indigenous media outlets and the detention of other Indigenous leaders violated the collective right of Indigenous Peoples and Afrodescendant communities to self-determination in the autonomous regions of the Caribbean Coast enshrined in article 1, common to the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social, and Cultural Rights. At the same time, the State violated the right of Indigenous and Afro-descendant authorities to participate in political affairs, enshrined in articles 1 and 25 of the International Covenant on Civil and Political Rights, and the right of participation of Indigenous Peoples and Afrodescendant communities, enshrined in articles 6 and 7 of Convention No. 169 of the International Labour Organization. Furthermore, the conduct of the State of Nicaragua is inconsistent with articles 3 and 4 of the United Nations Declaration on the Rights of Indigenous Peoples, which consecrate the right to self-determination, autonomy and self-government.

VI. Crimes against humanity

187. The Group previously concluded to have reasonable grounds to believe that a variety of State and non-State actors, following orders from the Co-Presidents, had perpetrated serious human rights violations against part of the Nicaraguan population on account of their

¹⁷¹ Human Rights Committee, general comment No. 36, para. 26, and *Lantsova v. Russian Federation*, CCPR/C/74/D/763/1997, para. 9.2; European Court of Human Rights, *Kudla v. Poland*, Judgment, 20 October 2000, paras. 93-94.

¹⁷² Inter-American Court of Human Rights, *Mendoza et al. v. Argentina*, Preliminary Objections, Merits and Reparations, Judgment, 14 May 2013, para. 190; European Court of Human Rights, *Salakhov and Islyamova v. Ukraine*, judgment, 14 June 2013, paras. 112-157.

political identity, activities or opinions. These violations amount, *prima facie*, to crimes against humanity under customary international law.

188. The Group also concluded to have reasonable grounds to believe that, from April 2018, a widespread and systematic attack directed against the civilian population has been carried out in Nicaragua and that this attack continues until today.¹⁷³ The crimes against humanity committed in Nicaragua since 2018 are: murder, imprisonment, torture (including sexual violence), deportation, enforced disappearance (other inhumane acts) and persecution on political grounds.

189. The following analysis is limited to the violations addressed in this paper, namely imprisonment, torture and other cruel, inhuman or degrading treatment or punishment, and enforced disappearance.

A. Imprisonment

190. The Group previously concluded that the arbitrary detentions described in this document, which constitute a persistent pattern used by the Nicaraguan authorities to punish and silence critical voices since April 2018, amounted to imprisonment as a crime against humanity.¹⁷⁴

191. The arbitrary nature of imprisonment has been demonstrated by the following main patterns documented by the Group: (i) the detention of people on criminal charges that were unfounded, disproportionate, based on laws that violate human rights and/or false evidence; (ii) the enforcement of detentions without the presentation of an arrest warrant or without informing the persons detained of the reasons for their arrest; (iii) the bringing of detained persons before a judicial authority several days, and even weeks, after their detention; (iv) the failure to comply with habeas corpus orders; (v) the excessive and arbitrary use of pretrial detention, which was imposed widely without taking into account the specific circumstances of each case, the criteria of proportionality and purpose of the proceedings, and without due consideration of alternative measures; (vi) the systematic violation of the due process rights of real or perceived opponents, including the absence of equality before the courts and equality of arms; (vii) the systematic violation of the right to an adequate defence; and (viii) the absence of judicial review of detentions.

192. The Group previously concluded that the imprisonments were perpetrated by members of the National Police and pro-government armed groups. The Group has reasonable grounds to believe that the deputy general director of the National Police, promoted general director in September 2018, transmitted orders to the deputy general director of the Sub-directorate General for Prevention and Public Security, the chief of the Department of Surveillance and Patrolling of that same Sub-directorate, the chief of the Sub-directorate General of the Managua Metropolitan Delegation and the chiefs and personnel of special units and departmental, regional and district police stations. The secretary general of the Managua Mayor's Office (who also serves as FSLN national organization secretary) organized and supervised the deployment of pro-government armed groups.¹⁷⁵ The Group has further found reasonable grounds to believe that the police and pro-government armed groups operate under the centralized control of the Co-Presidents, who make decisions or give their consent concerning the main patterns of repression.¹⁷⁶ The Group has not identified specific orders from the Co-Presidents in these cases. The finding rests on the established command structure and the consistent pattern of politically motivated detentions documented since 2018.

¹⁷³ A/HRC/52/63, para. 109; A/HRC/55/27, para. 83; and A/HRC/58/26, para. 86.

¹⁷⁴ A/HRC/52/CRP.5, paras. 1037-1052.

¹⁷⁵ A/HRC/52/63, paras. 47-50; A/HRC/52/CRP.5, paras. 464 ff.; A/HRC/58/26, paras. 28-31; and A/HRC/58/CRP.8, paras. 441-484.

¹⁷⁶ A/HRC/CRP.8, paras. 41, 890 and 942; A/HRC/61/56, para. 85 and Annex I.

193. The arbitrary detentions formed part of a State policy implemented through the methodical involvement of different public institutions at various levels, the repetition of the conduct and the evolution of such criminal practices.¹⁷⁷

B. Torture and other cruel, inhuman or degrading treatment or punishment

194. The Group previously concluded that acts of torture and other cruel, inhuman or degrading treatment or punishment have been committed, both after arrest and during detention, in facilities of the National Police and the National Prison Service, as well as secret detention places. In various cases described in this document, the victims were subjected to acts of torture and/or cruel, inhuman or degrading treatment or punishment.

195. The acts of torture were committed by officials of the National Police and the National Prison Service and members of pro-government armed groups. The deputy general director of the Sub-directorate General for Prevention and Public Security and the chief of the Legal Cooperation Directorate gave instructions for the use of violence and personally participated in acts of torture and ill-treatment against detainees in police stations and the facilities of the Legal Cooperation Directorate.

196. The Deputy Minister of the Interior transmitted orders to the general director and the administrative deputy general director of the Directorate General of the National Prison System regarding the discriminatory treatment of persons deprived of their liberty on political grounds, which included cruel, inhuman or degrading treatment or punishment and, in some cases, acts of torture. Those orders were then transmitted to the prison directors. The directors of La Modelo and La 300 directly perpetrated acts of torture and other cruel, inhuman or degrading treatment or punishment.

197. In addition, a discriminatory detention treatment was applied to individuals detained on political grounds, including to several victims of enforced disappearance. In the cases described in this paper, such treatment included prolonged solitary confinement and incommunicado detention, the prohibition of visits by relatives, including minor children, and lawyers, and the deprivation or limitation of the rights to recreation, exercise, adequate food and the right to access timely and appropriate health care. These measures, which were used to increase the suffering of the victims, qualify as cruel, inhuman or degrading treatment or punishment, or even torture. Several of these forms of discriminatory treatment were applied in the case of Brooklyn Rivera.

198. Members of the National Police, the National Prison Service and pro-government armed groups acted with the purpose of obtaining information, punishing, intimidating or coercing the victims, or discriminating against them for being, or perceiving them as, opponents of the Government. They acted deliberately and with the intent to inflict severe physical or mental pain or suffering on the victims.

C. Enforced disappearance (other inhumane act)

199. The Group has previously found that enforced disappearances can constitute the crime against humanity of “other inhumane act”. For an act to qualify as an “other inhumane act” under customary international law, the jurisprudence established the following elements: (i) the act or omission caused serious mental or physical suffering or injury or constituted a serious attack of human dignity; (ii) the act or omission was of similar seriousness to any other act listed under the category of crimes against humanity; and (iii) the act or omission

¹⁷⁷ A/HRC/52/CRP.5, para. 1045.

was carried out intentionally.¹⁷⁸ In determining the gravity of the act, all factual circumstances must be considered.¹⁷⁹

200. The Group considers that the duration of an enforced disappearance constitutes one of the elements for concluding that the enforced disappearance reaches the threshold of “similar nature” to the other crimes against humanity. In interpreting this temporal element, the Group relied on the jurisprudence of the International Criminal Court, which determined that several months satisfies the temporal requirement.¹⁸⁰

201. From 2023 onwards, the authorities have used enforced disappearances lasting several months, or even years, as a repressive strategy against real or perceived opponents. This said, the Group documented several cases of enforced disappearances of several months which occurred before 2023. The enforced disappearances described in this document, including that of Brooklyn Rivera Bryan, lasted at least several months and, therefore, qualify as other inhumane acts.

202. The victims were arbitrarily arrested by police officers. Officials of the Directorate General of the National Prison Service, including prison directors, and of the National Police (Legal Cooperation Directorate and District III police station) held the victims in facilities under their control and refused to reveal their fate or whereabouts.¹⁸¹

203. The enforced disappearances caused great suffering to the victims and constituted a serious attack on their human dignity. The perpetrators systematically refused to reveal the fate or whereabouts of the victims and were aware of the great suffering caused to the victims.

D. Persecution on political grounds

204. The Group previously concluded to have reasonable grounds to believe that the crimes against humanity of murder, imprisonment, torture and other cruel, inhuman or degrading treatment or punishment (including sexual violence), deportation, enforced disappearance (other inhumane acts), arbitrary deprivation of nationality, and the cumulative effect of various other violations documented by the Group since the first phase of repression have been committed in the context of a discriminatory campaign founded on political grounds and coordinated from the highest levels of Government.

205. The crimes of imprisonment, torture and other cruel, inhuman or degrading treatment or punishment, and enforced disappearances described in this document also form part of the discriminatory campaign of the Government and constitute the crime against humanity of persecution on political grounds. Although the victims of the crimes have heterogeneous profiles, they all share the common denominator of being perceived by the administration of the Co-Presidents as a threat to their control of the State and population. In some of the cases in which women were the victims, the severity of the crimes was incremented by gender-related factors as the victims also suffered gender discrimination.¹⁸²

206. The imprisonments, torture and other cruel, inhuman or degrading treatment or punishment, and enforced disappearances were committed deliberately and with the intent to discriminate against real or perceived opponents of the Government. The perpetrators targeted the victims because of their identity and as part of the discriminatory policy of systematically silencing any person and dismantling any civic or political organization that

¹⁷⁸ See, for instance: ICTY, *Prosecutor v. Vasiljević*, IT-98-32-A, Appeals Chamber, Judgment, 25 February 2004, para. 165; and ICTY, *Prosecutor v. Kordić et al.*, IT-95-14/2-A, Appeals Chamber, Judgment, 17 December 2004, para. 117.

¹⁷⁹ ICTY, *Prosecutor v. Vasiljević*, IT-98-32-A, Appeals Chamber, Judgment, 25 February 2024, para. 165.

¹⁸⁰ ICC, The Situation in the Republic of Burundi, ICC-01/17-X, Pre-Trial Chamber III, Public Redacted Version of “Decision Pursuant to Article 15 of the Rome Statute on the Authorization of an Investigation into the Situation in the Republic of Burundi”, ICC-01/17-X-9-US-Exp, 25 October 2017, para. 120. See also: A/HRC/58/CRP.8, para. 870.

¹⁸¹ A/HRC/58/CRP.8, paras. 499-513.

¹⁸² For further details on the findings of the Group on the gender dimensions, see: Nicaragua: Repression through a gender lens, paras. 144-151.

maintains a position different from or opposed to that of the Government or is perceived as doing so.

VII. Conclusions and recommendations

A. Conclusions

207. The Group of Human Rights Experts on Nicaragua has previously found reasonable grounds to believe that enforced disappearance and death in custody constitute a deliberate and continuing instrument of State repression. Since April 2018, the authorities have placed real or perceived opponents outside the protection of the law and jeopardized their lives and physical and psychological integrity by concealing their fate and whereabouts, resorting to prolonged incommunicado detention and/or systematically denying them medical care. These practices have caused at least eight deaths in State custody; as of 31 August 2026, at least 29 persons are also still disappeared.

208. The deaths of Eddy Antonio Montes Praslin, Santos Sebastián Flores Castillo, Jorge Hugo Torres Jiménez, José Modesto Solís Aguilar, Humberto Ortega Saavedra, Mauricio Francisco Alonso Petri, Carlos Cárdenas Zepeda, and Brooklyn Rivera Bryan are not isolated tragedies. They are the foreseeable outcome of a series of systematic, deliberate and coordinated acts carried out through the National Police, the National Prison System, the Ministry of the Interior and the judiciary. The Group has previously found reasonable grounds to believe that this institutional apparatus operates under the centralized control of the Co-Presidents, who make decisions or give their consent on the main patterns of repression.¹⁸³ The patterns documented in the present conference room paper are consistent with that finding.

209. Brooklyn Rivera Bryan's case is emblematic. Arrested without warrant on 29 September 2023, held incommunicado despite precautionary measures of the Inter-American Commission on Human Rights and provisional measures of the Inter-American Court of Human Rights, and presented publicly only days before his death in a state of extreme emaciation, his disappearance and death illustrate the full anatomy of State cruelty: arbitrary arrest, prolonged concealment, denial of family contacts and legal representation refusal of independent investigation, and the subsequent disappearance of six of his relatives and two close associates. The same pattern is visible in the cases of Carlos Alberto Bojorge Martínez, Walner Omier Blandón Ochoa, Marisela de Fátima Mejía Ruíz, Freddy Antonio Quezada and the 29 persons still disappeared.

210. These acts form part of the widespread and systematic attack against the civilian population and constitute, *prima facie*, the crimes against humanity of imprisonment, torture and other cruel, inhuman or degrading treatment, enforced disappearance (other inhumane act) and persecution on political grounds. The Group has previously found reasonable grounds to believe that the Co-Presidents, together with senior officials of the National Police, the National Prison System and other identified State and FSLN officials, bear *prima facie* responsibility for the pattern of violations, abuses and crimes described in its reports.¹⁸⁴ The same conclusion applies to those officials who systematically obstructed habeas corpus proceedings and withheld information on the fate and whereabouts of disappeared persons. Impunity is not incidental; it is the mechanism that allows the policy to continue.

211. Of particular concern to the Group is the disproportionate impact of arbitrary detention and enforced disappearances on older persons, many of whom suffer from chronic and other serious illnesses. In inadequate and overcrowded detention facilities, the systematic denial of appropriate and timely medical care, specialized treatment and

¹⁸³ A/HRC/58/CRP.8, paras. 41, 890 and 942; and A/HRC/61/56, para. 85.

¹⁸⁴ *Ibid.*

basic sanitary conditions, like access to water or food, has led to the rapid and severe deterioration of their physical and mental health. The ill-treatment or torture to which some victims have been subjected have compounded the vulnerability due to their age, heightening the risk of irreversible health complications and mortality in custody.

212. Every day that a disappeared person in Nicaragua remains unaccounted for renews the crime. Every day without accountability for deaths in custody reinforces impunity. The State of Nicaragua has broken the fundamental duty of protection. Accountability is not optional. Under the current conditions prevailing in Nicaragua, it is the only remaining barrier to stop further preventable deaths.

B. Recommendations

213. The Group recalls the comprehensive recommendations addressed to the Government of Nicaragua in its four annual reports and accompanying supplementary documents, especially those related to the violations and crimes addressed in the present conference room paper.

214. In particular, the Group urges the Government of Nicaragua to:

- a) Immediately disclose the fate and whereabouts of the 29 persons currently disappeared to their families and legal representatives;
- b) Immediately and unconditionally release all persons deprived of their liberty on political grounds, prioritizing older persons and those with chronic illnesses, with the accompaniment and verification of the International Committee of the Red Cross;
- c) Guarantee procedural safeguards upon arrest, including prompt access to a legal counsel of choice, independent medical examination and independent judicial review of the detention;
- d) Ensure respect for the Standard Minimum Rules for the Treatment of Prisoners (Nelson Mandela Rules) for all detentions; this includes the prohibition of secret detention, prolonged solitary confinement and incommunicado detention and the right to access to health care;
- e) Guarantee the right of any person deprived of liberty, or third parties acting on their behalf, to initiate habeas corpus proceedings before a competent, independent and impartial court at any time to challenge the lawfulness of their detention, ensuring that such proceedings are conducted expeditiously without undue delay or other obstacles, are non-derogable and mandate the immediate physical production of the detainee before the judicial authority;
- f) Conduct impartial, independent and thorough investigations into all allegations of torture and other cruel, inhuman or degrading treatment or punishment in custody, in line with international standards such as the (revised) Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol);
- g) Return the remains of Brooklyn Rivera Bryan to his family and community, so that they may conduct funeral rites in accordance with Miskito tradition and beliefs, without State control or police presence;
- h) Conduct impartial, independent and thorough investigations into all deaths in custody, including the eight deaths documented in this paper, in line with international standards such as the Minnesota Protocol on the Investigation of Potentially Unlawful Death. In addition to the causes and circumstances of the deaths, these investigations must address all allegations of human rights violations and abuses committed against these persons and their relatives during the detention or enforced

disappearance and after the return of the remains; determine the individual responsibility of all perpetrators involved and ensure that they are brought to justice in line with international standards; and grant victims and their families the right to truth, including by ensuring the participation of the relatives of the deceased in the investigation and guaranteeing full reparations for all victims and the non-recurrence of violations;

- i) Reinstate real-time, official and standardized central registers of all persons deprived of liberty across all jurisdictions, ensuring the immediate registration of arrest details, responsible authorities and legal status, and guaranteeing full transparency to family members, legal representatives and judicial authorities;
- j) Grant immediate, confidential and unrestricted access to all places of detention to independent monitoring bodies, including international humanitarian and human rights mechanisms, allowing them to conduct private interviews with detainees, review detention records, inspect medical facilities and follow up on allegations of abuse;
- k) Remove from any position of authority any official for whom there are reasonable grounds to believe that they are responsible for the cases of enforced disappearance and deaths in custody documented in this paper and ensure that no amnesty or other measure of impunity is applied; and
- l) Reform the prison system in line with international standards on the matter, in particular the UNCAT and the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules).

215. The Group also recommends that Member States:

- a) Exercise universal jurisdiction over the crimes of enforced disappearance and death in custody documented in this paper. Where nationals or residents of the forum State are victims, open concrete criminal investigations without delay and ensure that no statute of limitation extinguishes the continuous crime of enforced disappearance;
- b) Provide immediate and sustained protection, including emergency visas, temporary protection status and resettlement pathways, to the relatives and close associates of victims of enforced disappearance or death in custody who remain at risk of reprisal inside or outside Nicaragua; guarantee that the relatives of victims of enforced disappearance and death in custody are never returned to a situation in which their safety or access to justice could be compromised;
- c) Support the provision of specialized forensic, legal, psychosocial and archival assistance to the families of the victims; and establish or reinforce mechanisms for the safe transmission of testimony and documentation to competent judicial authorities;
- d) Refuse to recognize any administrative or judicial act that seeks to legitimize the concealment of the fate or whereabouts of persons deprived of their liberty or the non-investigation of deaths in custody;
- e) Adopt and rigorously enforce sanctions against officials and institutions identified as responsible for ordering, supervising or covering up the cases of enforced disappearances and deaths in custody documented herein; sanctions lists should be updated on the basis of new evidence and coordinated among like-minded States;
- f) Coordinate, at the regional and international levels, joint measures in any process that requires respect for human rights and the rule of law; factor in the documented enforced disappearances and deaths in custody when considering financial engagement; and take into account, in decisions on

preferential market access, the concrete and measurable progress toward legal accountability for these violations, including full disclosure of the fate and whereabouts of the disappeared and independent investigations that can lead to judicial proceedings; and

- g) Provide sustained political and material support to independent civil society organizations, both inside and outside Nicaragua, that continue to document enforced disappearances and deaths in custody, protect witnesses and assist the families of the victims named in this investigation.**
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Annex I – Functional diagram: Enforced disappearance

A functional diagram illustrating the de jure and de facto connexions between different State and non-State entities relating to the issue of enforced disappearance as documented by the Group is available in English and Spanish only on the web page of the Group of Human Rights Experts on Nicaragua (www.ohchr.org/ghrenicaragua).

Annex II – Functional diagram: Case of Brooklyn Rivera Bryan

A functional diagram illustrating the de jure and de facto connexions between different State and non-State entities relating to the case of Brooklyn Rivera Bryan as documented by the Group is available in English and Spanish only on the web page of the Group of Human Rights Experts on Nicaragua (www.ohchr.org/ghrenicaragua).