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United States Senate

COMMITTEE ON FOREIGN RELATIONS

WASHINGTON, DC 20510-6225

February 29, 2024

The Honorable Antony J. Blinken
Secretary
U.S. Department of State
2201 C Street, NW
Washington, D.C. 20520

Dear Secretary Blinken,

We write to express our grave concern over the growing consolidation of a totalitarian state in our own hemisphere under the rule of Nicaragua's Daniel Ortega and his spouse Rosario Murillo. We support the Biden Administration's efforts, thus far, to secure the release of political prisoners and hold the Ortega-Murillo regime accountable – including through targeted sanctions on regime officials and entities credibly accused of corruption and undermining democracy and human rights. However, more must be done.

It is clear that such efforts alone have been insufficient to deter an ongoing, systemic pattern of state repression targeting all opposition actors in the country. Amid other worsening conflicts around the globe, it is imperative that the United States continue to expose the atrocities committed by the Ortega-Murillo regime and ensure the plight of the Nicaraguan people is not forgotten. To this end, we urge you to fully use all available legislative authorities and diplomatic tools at your disposal to mobilize a robust, coordinated international response to advance a diplomatic solution to restore democracy in Nicaragua.

Since the eruption of popular anti-government protests in 2018, the Ortega-Murillo regime has launched an unprecedented assault on Nicaraguan democracy, using state repression to stifle dissent, dismantle civil society, and undermine human rights. It has murdered, jailed, or exiled the majority of the country's opposition, including the exile of 222 political prisoners to the United States last year. The Ortega-Murillo regime then rendered them, as well as 94 other exiled civil society leaders, stateless by arbitrarily revoking their Nicaraguan citizenship. This repressive regime has persecuted more than 3,500 civil society institutions, including seizing the assets of the Central American University and the Central American Institute of Business Administration (INCAE), has shut down the Nicaraguan Red Cross, and has expelled several Catholic missions and charities. It continues to arbitrarily detain dozens of human rights defenders, journalists, and opposition leaders. According to the United Nations (UN) Group of Human Rights Experts on Nicaragua (GHREN), the actions of the Ortega-Murillo regime amount to crimes against humanity.

There is no indication that the Ortega-Murillo regime is currently willing to seek a peaceful, democratic path to resolve Nicaragua's crisis, despite widespread condemnation by the international community, the use of targeted sanctions by the United States to hold regime

officials accountable, and evidence that half of the country's population intends to emigrate. While the Ortega-Murillo regime freed 19 clergymen, including Bishop Rolando Álvarez, from arbitrary detention last month, it forced them into exile and its crackdown on religious freedom continue unabated. The Ortega-Murillo regime's other latest actions – officially withdrawing from the Organization of American States (OAS) and politically targeting the director of the local Miss Universe franchise and her family following Miss Nicaragua's victory – demonstrates it believes it can continue to act with total impunity. The Nicaraguan people cannot afford to have this repression continue.

While Congress works to reauthorize the Nicaragua Investment Conditionality Act of 2018 (NICA Act), which expired in December, we urge the administration to fully implement the bipartisan RENACER Act of 2021 and continue using the authorities provided by executive order 14088 in a manner consistent with the NICA Act. Together, these legislative authorities outline several additional actions the Biden Administration could take to ramp up efforts to incentivize the Ortega-Murillo regime to reverse course. Such actions include: exposing Nicaragua's violations under CAFTA-DR and reevaluating Nicaragua's benefits under the trade deal; expanding oversight of international financial institutions' lending to Nicaragua, including of lending by the Central American Bank of Economic Integration (CABEI), absent CABEI's implementation of good governance reforms; providing continued support and assistance for human rights and democracy programming, including to exiled civil society and opposition leaders; and considering more robust imposition and enforcement of additional visa restrictions and economic measures aimed at limiting the corrupt enrichment of key officials and family members of the Ortega-Murillo regime, including in relation to the gold sector.

It is imperative that these existing authorities be leveraged to hold the Ortega-Murillo regime accountable and to pressure the regime to pursue diplomatic initiatives that will secure the release of all political prisoners, restore civic spaces for free speech and religious freedom, and end systemic repression and human rights abuses. Most importantly, we must do so in close consultation and coordination with our partners in Latin America, the European Union, and the Vatican, whether through the formation of an International Contact Group on Nicaragua or other means. We urge you to prioritize such efforts because, absent more concerted pressure from the international community, Nicaraguans will be forced to continue living under totalitarian conditions where their rights are regularly trampled, civil society is eviscerated, and the mere act of waving the national flag is criminalized.

We stand ready to work with you to develop and implement such efforts in defense of Nicaraguan democracy and human rights. Thank you for your attention to this critical issue.

Sincerely,



Benjamin L. Cardin
Chairman



Marco Rubio
United States Senator



Richard J. Durbin
United States Senator



Tim Kaine
United States Senator



Jeffrey A. Merkley
United States Senator



Peter Welch
United States Senator



Cassidy, Bill, M.D.
United States Senator



Schmitt, Eric S.
United States Senator



Ted Cruz
United States Senator

Cc: The Honorable Janet L. Yellen, Secretary of the Treasury