

2026

STUDY GUIDE

HUMAN RIGHTS COUNCIL

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Faculty of Law



MUNLawS 2026

HUMAN RIGHTS COUNCIL (HS)

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From the Secretary General...

Dear Delegates,

It is my great pleasure to welcome you to this year's MUNLawS!

After ten months of planning, organising, and probably overthinking every possible detail, the day has finally come! We have put a lot of ourselves into making this conference happen, and we hope that you will enjoy it as much as we have enjoyed creating it.

Having been part of the MUN community for a few years now, organising a conference of your own is definitely a different experience, one filled with equal parts excitement, stress, and the occasional crisis. A big thank you goes to my team, Živa Srše, Živa Rozina, Vito Vidmar, and Maks Novak, for everything they have done along the way. I truly could not have asked for a better team!

*As a law student with a particular interest in human rights, I find myself increasingly concerned by the ongoing conflicts and divisions across different regions of the world. This is one of the reasons why, this year, we have chosen **Strengthening Regional Cooperation** as our overall theme.*

While that might sound like a very diplomatic way of saying “let's get along”, there is much more to it. In a world that often seems too divided, cooperation can sometimes feel difficult but that is exactly why it matters. And what better place to promote cooperation among young people than an MUN, where people from different countries and backgrounds come together, ready to listen to one another and, sometimes, even let go of their own ideas for the sake of finding common ground?

Throughout this conference, I encourage you to challenge one another, question your own assumptions, and defend your positions but most importantly, remember to listen to one another. The goal is not to be the loudest person in the room, but rather to see what we can achieve when all those voices are heard.

And of course, do not forget to have fun. At the end of the day, we are not real diplomats (yet)!

I hope you have an unforgettable few days filled with great debates, questionable amounts of caffeine, and, hopefully, many new friendships.

See you in the committee!

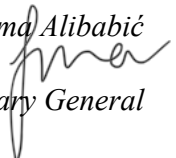
Irma Alibabić

Secretary General



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INTRODUCTION TO THE COMMITTEE

Chairs' Welcome

Esteemed Delegates,

We are delighted to welcome you to the 2026 edition of MUNLawS, where we have the privilege of serving as the Chairs of the Human Rights Council (HRC). This committee promises to engage with powerful debates as the topics are crucial to tackle, and we are more than enthusiastic to embark on this diplomatic journey with you.

This year, our discussions will focus on one of the two pressing issues: the negative effects of terrorism on the enjoyment of all human rights, and the situation in Nicaragua, particularly the phenomenon of persecution beyond borders. Both topics highlight the evolving nature of human rights challenges in the modern world. They require not only a solid understanding of international law and institutional frameworks, but also critical thinking, diverse perspectives, constructive problem-solving, and, most importantly, diplomatic dialogue.

As delegates, you are expected to go beyond surface-level arguments. The Human Rights Council is not merely a forum for condemning violations; it demands that you conduct careful research, respect differing viewpoints, and negotiate effectively. We encourage you to approach debate with professionalism and a willingness to collaborate, even if it is your first time at MUNs.

Please remember that the strength of this committee lies in the quality of this discourse. Whether you represent a state directly affected by terrorism, a government accused of human rights violations, or a member of the international community seeking accountability, your role is to faithfully represent your assigned position while contributing to meaningful and realistic outcomes.



Your Chairs look forward to witnessing your engagement, diplomacy, and dedication throughout the conference. Should you have any questions or require guidance, do not hesitate to reach out.

We wish you the best of luck in your preparation, and are confident that this committee will produce thoughtful and impactful debate.

Warmest regards,

Ana Marija Bukovec

Rok Tretjak

Chairs of the Human Rights Council

About the Human Rights Council

KEY TERMS USED	THEIR DEFINITIONS
absolute majority vote	a vote where <u>more</u> than half of all members must agree (if an organization has 100 members, an absolute majority requires at least 51 votes)
capacity-building	helping countries or organizations develop skills, knowledge, resources, and systems so they can do something better
facilitate	to make something easier or help something happen
headquartered	the main office or central location
impartiality	treating all sides fairly without supporting one side or showing personal opinions
legally binding	a rule that countries must follow under international law
monitor	to observe, check, or follow something over time to make sure it is happening correctly
non-selectivity	applying rules or decisions equally to everyone instead of choosing only certain people or countries to focus on
not legally binding	a recommendation or agreement that countries are encouraged to follow but are not legally required to obey
reinforce	to strengthen, support, or make something more effective
subsidiary (organ)	a smaller organization or group that works under a larger main organization and helps it complete its tasks

History

The Human Rights Council (HRC) is the main intergovernmental body within the United Nations responsible for the promotion and protection of human rights worldwide. It serves as a central platform for dialogue, cooperation, and accountability on human rights issues, addressing both thematic concerns and specific country situations.¹

¹ Office of the United Nations High Commissioner for Human Rights, n.d.

The HRC was established in 2006 by United Nations General Assembly Resolution A/RES/60/251, replacing the former Commission on Human Rights. The creation of the Council was intended to strengthen the UN's human rights system and make it more effective, credible, and responsive to violations. The Council operates as a subsidiary organ of the General Assembly and is headquartered in Geneva. Its establishment reflects the idea that human rights, development, and peace and security are closely connected and reinforce one another within the United Nations system.²

Structure

The HRC consists of 47 Member States, elected directly and individually by the United Nations General Assembly through an absolute majority vote. Members serve three-year terms. Elections are held annually to ensure rotation and regional balance. Seats are distributed according to regional groups³:

- African States: 13 seats,
- Asia-Pacific States: 13 seats,
- Latin American and Caribbean States: 8 seats,
- Western European and other States: 7 seats,
- Eastern European States: 6 seats.

Membership is based on the expectation that states uphold high human rights standards. In cases of serious and systematic human rights violations, the General Assembly may suspend a Member State's participation in the Council.⁴

Mandate

The primary mandate of the Human Rights Council is to promote universal respect for the protection of all human rights and fundamental freedoms for all individuals, without discrimination.⁵

² United Nations Human Rights Council, n.d.

³ United Nations General Assembly, 2006.

⁴ United Nations Human Rights Council, n.d.

⁵ Office of the United Nations High Commissioner for Human Rights, n.d.

Key responsibilities of the HRC include:

- addressing human rights violations, including gross and systematic abuses;
- making recommendations to States and the General Assembly;
- promoting human rights education, technical assistance, and capacity-building;
- preventing violations through dialogue and cooperation; and
- responding to urgent or emerging human rights crises.⁶

The Council works on the basis of principles such as universality, impartiality, objectivity, and non-selectivity. This means that all human rights (civil, political, economic, social, and cultural) are treated as equally important, interconnected, and interdependent.⁷

Key mechanisms and functions

The HRC operates through several important mechanisms that help the Council not only talk and facilitate discussion about human rights, but also to monitor, assess, and respond to human rights situations globally.⁸



Figure 1: How the HRC operates

⁶ Office of the United Nations High Commissioner for Human Rights, n.d.

⁷ Ibid.

⁸ Office of the High Commissioner for Human Rights, n.d.

The Council holds three regular sessions each year in Geneva and may also convene special sessions in response to urgent crises or serious violations.

Its work includes:

- interactive dialogues with independent experts and states;
- monitoring and investigative procedures;
- negotiation and adoption of draft resolutions;
- issuing recommendations and decisions.

Although its resolutions are not legally binding, they carry strong political and moral influence. They help shape international norms, guide state behaviour, and set global standards for human rights protection.

Topic A:

NEGATIVE EFFECTS OF TERRORISM

ON THE ENJOYMENT OF ALL HUMAN RIGHTS

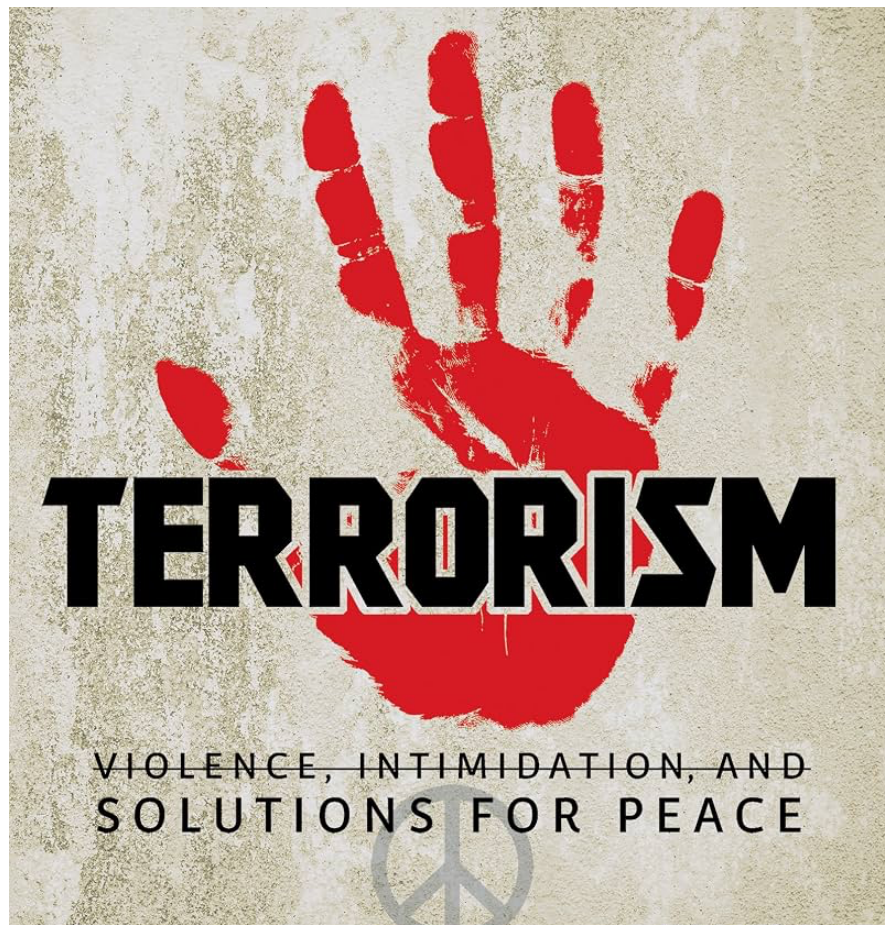


Figure 2: Stop terrorism⁹

⁹ Mooney, 2017.

KEY TERMS USED	THEIR DEFINITIONS
arbitrary	done without a fair reason, clear rules, or proper legal process
checks and balances	systems that limit the power of governments or institutions by making sure no group has unlimited control
civil liberties	basic freedoms protected from unnecessary government interference, such as privacy and freedom of speech
combat	to fight against or try to stop something harmful
contradictory	containing ideas that oppose or disagree with each other
counter-terrorism	actions taken by governments and organizations to prevent and respond to terrorism
domestic investment	investment made within a country by individuals, companies, or other entities based in that same country
enjoyment of human rights	the ability of people to fully have and use their basic rights and freedoms
exacerbate	to make a problem worse or more serious
exclusion	the act of leaving people out or preventing them from participating equally in society
exploitation	taking unfair advantage of people or situations for personal or political benefit
foreign investment	investment made within a country by individuals, companies, or other entities based in another country
holistic	looking at a problem as a whole by considering many different factors
international humanitarian law	an area of international law that applies during armed conflicts and seeks to limit their effects on the civilian population, while regulating the conduct of the States and other parties to the conflict
(mass) surveillance	the large-scale monitoring of people's activities, communications, or movements, often using technology

prosecution	the legal process of charging and taking someone to court for committing a crime
radicalization	the process where someone develops extreme beliefs
(to) recruit	to attract and convince people to join a group or organisation
refugee law	an area of international law that establishes who qualifies as a refugee and sets standards for the protection of people who are granted refugee status
right-holders	people or groups who have legally recognized rights that must be protected
shelling	the act of attacking an area by firing explosives or artillery shells
the rule of law	the principle that everyone, including governments, must follow the law
transparency	being open and clear about decisions, actions, and information
undermines	weakens or damages something, making it less effective
underdevelopment	a situation where a country or region lacks enough economic growth, infrastructure, education, or services

Background

Terrorism has become **one of the most serious and complex challenges** facing the international community. Its consequences go far beyond immediate violence and security concerns, affecting peace, stability, development, and the protection of human rights worldwide. Today, terrorism must be understood **not solely as a threat to national security**, but also as a phenomenon that directly and indirectly **undermines** the **enjoyment of human rights**.¹⁰ Historically, terrorism has affected both developing and developed countries. However, the consequences are often more severe in countries with weaker institutions, fewer resources, and limited capacity to respond. Research from the Federal Reserve Bank of St. Louis shows that between 2002 and 2019, the majority of terrorist

¹⁰ United Nations Human Rights Council, 2021.

attacks occurred in South Asia, the Middle East, North Africa, and sub-Saharan Africa. These regions often face additional challenges because terrorism can worsen existing problems such as poverty, underdevelopment, and limited access to education and healthcare.¹¹

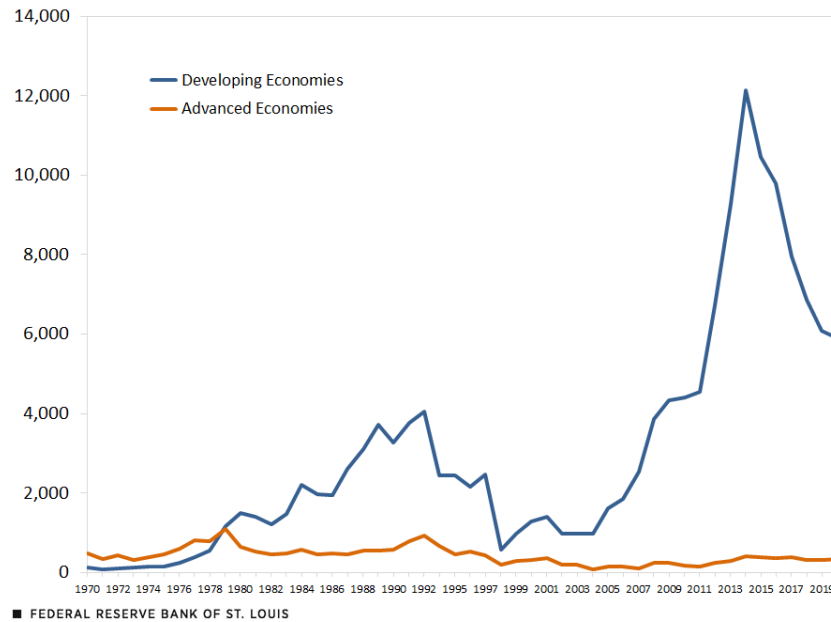


Figure 3: Terrorist attacks in advanced and developing economies in the periods 1970-2020¹²

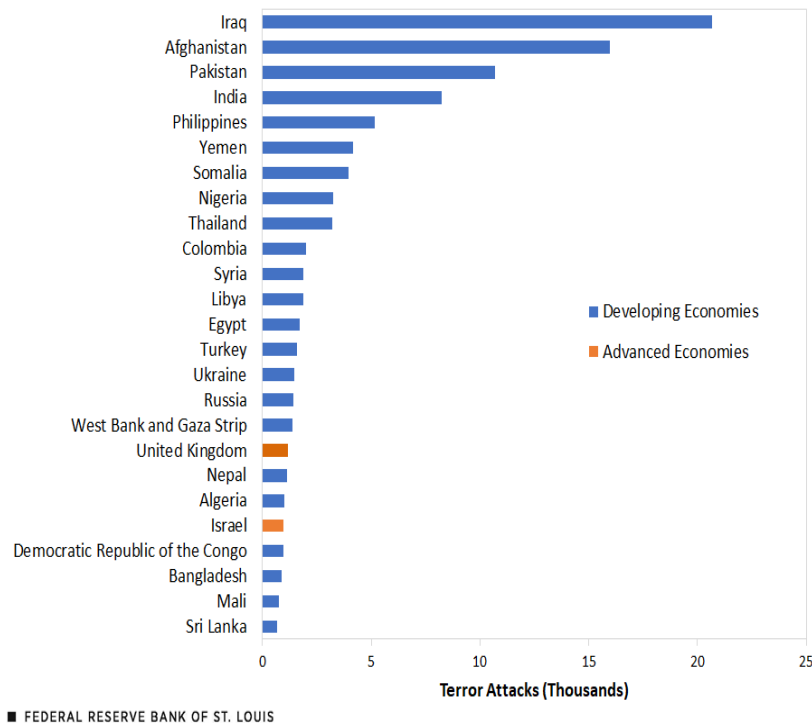


Figure 4: Places with largest number of terrorist attacks in the period 2002-2020¹³

¹¹ Bandyopadhyay & Le, 2024.

¹² Ibid.

¹³ Ibid.

Although there is **no universally agreed-upon definition of terrorism** within the United Nations system, terrorism generally refers to acts of violence or intimidation intended to create fear among civilian populations to achieve political, ideological, or religious objectives.¹⁴ The absence of a single international definition remains a major challenge because states often interpret terrorism differently depending on political and legal considerations. This complicates international cooperation, accountability, and prosecution.¹⁵

Over time, **terrorism has evolved significantly**. Modern terrorist networks operate across borders and use globalization, digital communication, and social media to recruit members, spread propaganda, finance operations, and coordinate attacks. Groups such as ISIS, Al-Qaida, and Boko Haram have demonstrated how terrorist organizations can operate internationally while influencing local conflicts and communities.¹⁶

Terrorism causes consequences that extend far beyond immediate physical destruction. In addition to deaths, injuries, and psychological trauma, terrorism weakens economies, damages infrastructure, disrupts education and healthcare systems, and reduces trust in public institutions. In some regions, repeated terrorist attacks have created long-term instability and slowed social and economic development for years, causing underdevelopment.¹⁷

Attacks against civilians in schools, markets, places of worship, and public spaces create fear and instability. For example, the Hamas attack on Israel on 7th October 2023 demonstrated how a single terrorist attack can have a large humanitarian impact. According to analysis by the Center for Strategic and International Studies, the attack was one of the deadliest terrorist attacks in history and resulted in widespread consequences, including deaths, hostages, and a major escalation of conflict in the region.¹⁸

¹⁴ United Nations Office of Counter-Terrorism, n.d.

¹⁵ Byman, McCabe, Palmer, Doxsee, Holtz & Duff, 2023.

¹⁶ Ibid.

¹⁷ Ibid.

¹⁸ Byman, McCabe, Palmer, Doxsee, Holtz & Duff, 2023.

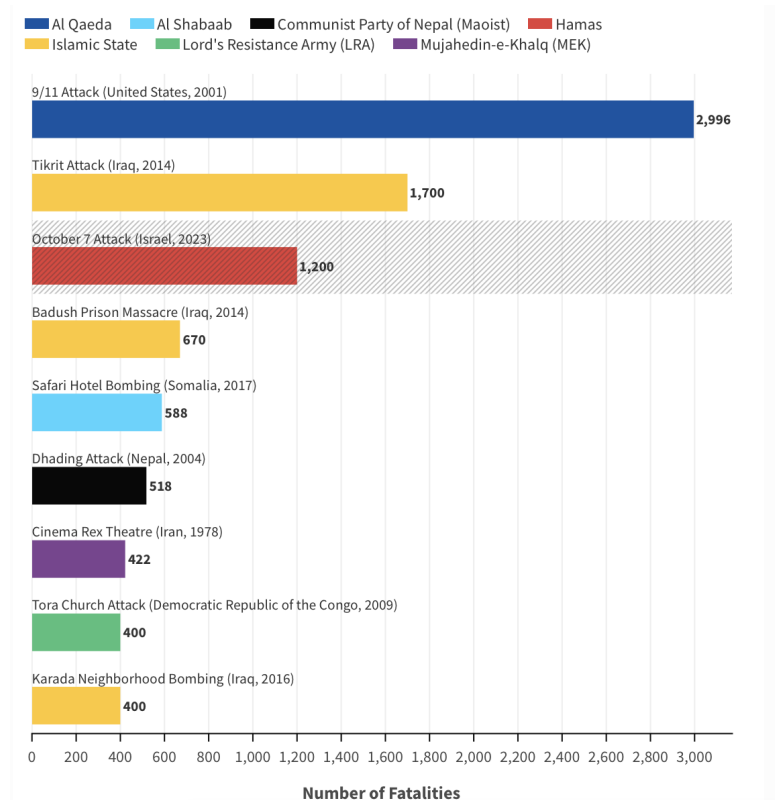


Figure 5: The nine deadliest terrorist attacks by number of fatalities (1970-2023)¹⁹

The Human Rights Council has consistently emphasized that **terrorism presents a direct violation of fundamental human rights**, particularly the right to life, liberty, and security of person.²⁰ However, it **also affects the full spectrum of human rights**, including civil, political, economic, social and cultural rights.²¹ For example, insecurity caused by terrorist activity may restrict freedom of movement and expression, while simultaneously limiting access to education, employment, and political participation.

Another problem is the **disproportionate impact of terrorism on vulnerable groups**. Women, children, minorities, and displaced populations are often the most severely affected, both during and after terrorist incidents. These groups may face heightened risks of violence, **exploitation**, and **exclusion**, while simultaneously having reduced access to protection. This highlights the need for targeted, inclusive approaches in both prevention and response mechanisms. Further, it is important to recognize victims of terrorism as

¹⁹ Byman, McCabe, Palmer, Doxsee, Holtz & Duff, 2023.

²⁰ United Nations General Assembly, 2006.

²¹ UNHRC, 2021.

right-holders entitled to protection, support, and remedies. It is essential to ensure their access to justice, compensation, and rehabilitation.²²

One of the central problems is the **dual challenge between terrorism and counter-terrorism measures**. While terrorism itself violates human rights, the actions taken by states to prevent or combat it can also lead to restrictions on fundamental freedoms if not carefully regulated.²³ In some cases, governments have adopted broad or vague counter-terrorism laws that allow for **mass surveillance**, **arbitrary** detention without trial, or limitations on freedom of expression. Such measures may undermine the **rule of law** and contribute to further instability. Hence, counter-terrorism efforts must be firmly grounded in international human rights law.²⁴ Measures taken to prevent and respond to terrorism must be lawful, necessary, proportionate, and non-discriminatory. Upholding these principles is not only a legal obligation but also a practical necessity, as violations of human rights can **exacerbate** the conditions that lead to **radicalization** and conflict.

The **UN Global Counter-Terrorism Strategy**²⁵ further recognizes that human rights violations, discrimination, political **exclusion**, and lack of economic opportunities can contribute to conditions in which violent extremism becomes more likely.²⁶ This means that long-term prevention of terrorism cannot rely only on military responses, but must also address underlying social, political, and economic factors.

In conclusion, terrorism represents a multidimensional challenge that affects all aspects of human rights. Its impacts are immediate and long-term, direct and indirect, and often disproportionately affect the most vulnerable populations. Addressing this issue, therefore, requires a **holistic** approach that integrates security considerations with a strong commitment to human rights principles, international cooperation, and accountability.

²² United Nations General Assembly, 2006.

²³ United Nations Office of Counter-Terrorism, n.d.

²⁴ OHCHR, n.d.

²⁵ United Nations General Assembly, *The United Nations Global Counter-Terrorism Strategy*, A/RES/60/288, adopted 8 September 2006.

²⁶ United Nations General Assembly, 2006.

OUTLINE OF THE TOPIC: The topic of negative effects of terrorism on the enjoyment of all human rights will be divided into two parts:

- a) human rights impacts of the act of terrorism (direct effects of terrorism), and
- b) human rights impacts of counter-terrorism measures (effects of States' response on terrorism).

Such division of the topic is logical, because terrorist groups directly violate human rights (killings of civilians, rape, school destruction), yet States can, in combating terrorism, also restrict human rights (mass surveillance, detention without trial).

a) Human rights impact of the act of terrorism

1. Negative effects of terrorism on the enjoyment of economic rights

While the immediate effects of terrorism often include deaths, injuries, and destruction, the long-term economic consequences are frequently even more damaging. Terrorism disrupts markets, destroys infrastructure, discourages investment, and weakens economic growth, which may lead to long-term economic instability.²⁷

Terrorism can affect the enjoyment of several economic rights protected under the **International Covenant on Economic, Social and Cultural Rights (ICESCR)**,²⁸ especially the right to work, the right to an adequate standard of living, including adequate food and housing. Economic rights are essential because they allow people to live with dignity, support their families, and participate fully in society.²⁹

1.1. Destruction of infrastructure and economic disruption

Terrorist attacks often target or indirectly damage key infrastructure, including roads and transport systems, hospitals and schools, electricity and water systems, and businesses.

²⁷ Meierrieks & Gries, 2013.

²⁸ United Nations General Assembly, *International Covenant on Economic, Social and Cultural Rights (ICESCR)*, A/RES/2200(XXI), Annex A, adopted 16 December 1966, entered into force 3 January 1976.

²⁹ Centre for Global Law and Justice, n.d.

When infrastructure is destroyed, normal economic life becomes extremely difficult. Businesses cannot operate properly, trade slows down, and unemployment rises.³⁰

EXAMPLE: ISIS attacks in Iraq and Syria caused widespread destruction of cities such as Mosul and Raqqa. Entire neighbourhoods, schools, hospitals, bridges, water systems, and electricity infrastructure were severely damaged or destroyed, making economic recovery extremely difficult even when fighting ended. In Mosul alone, the United Nations estimated that thousands of housing units were destroyed, while hundreds of thousands of civilians were displaced and essential public services remained in ruins years after.³¹ In March 2018, the Trump administration froze funding for stabilization programs in Syria, money that would have helped rebuild Raqqa.³²



Figure 6: The severe damage caused by the ISIS attacks in Iraq and Syria³³

1.2. Impact on employment and investment

One of the most serious effects of terrorism is rising unemployment. Businesses often shut down or move away from high-risk areas, which leads to job losses. Investors are also less likely to invest in countries experiencing instability or repeated attacks. Terrorism reduces both:

³⁰ Centre for Global Law and Justice, n.d.

³¹ Al Jazeera, 2017.

³² Blue, 2019.

³³ Ibid.

- domestic investment, because local businesses avoid risk,
- foreign investment because international companies fear instability.³⁴

If a country is considered unsafe, companies are less likely to open factories, offices, or tourism projects there. As a result, local populations may face fewer job opportunities and increased poverty.³⁵

EXAMPLE: Nigeria, Boko Haram terrorism

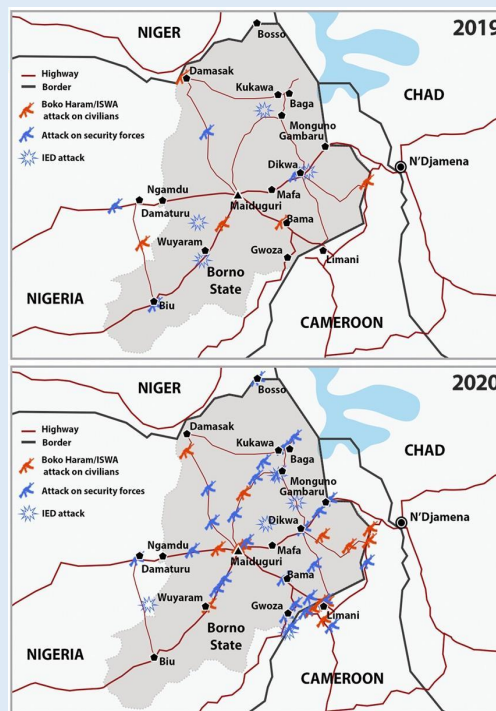


Figure 7: Militant Islamist group highway attacks in and around Borno State³⁶

Boko Haram is a violent extremist group whose idea is to establish a Salafi-Islamist state in Nigeria free from Western influence.³⁷ Boko Haram in Nigeria shows how terrorism can seriously damage human rights, especially economic rights, including the right to work (Article 23 of the UDHR), the right to an adequate standard of living (Article 25 of the UDHR), and the right to education (Article 26 of the UDHR).³⁸ Since Boko Haram began its violent campaign in 2009, thousands of attacks on communities, markets, schools, and

³⁴ Bandyopadhyay, Sandler & Younas, 2014.

³⁵ Ibid.

³⁶ Africa Center for Strategic Studies, 2020.

³⁷ National Counterterrorism Center, n.d.

³⁸ United Nations General Assembly, *Universal Declaration of Human Rights (UDHR)*, A/RES/217 A (III), adopted 10 December 1948.

farms have disrupted daily life. Disruptions include attacks like bombings, kidnappings, and attacks against civilians.³⁹ Many displaced people lost their jobs, farmland, and sources of income, making it harder for families to provide food, healthcare, and education. The attacks targeted farmers, traders, and business owners, which prevented people from safely working. Many farmers abandoned their fields, reducing agricultural production. Markets were destroyed or closed, while companies became less willing to invest in areas affected by terrorism because of security concerns.⁴⁰ The situation here clearly shows that terrorism limits the ability to achieve an adequate standard of living.

Insecurity caused by Boko Haram and other armed groups has prevented humanitarian organizations from reaching many civilians in northeastern Nigeria. More than 2.2 million people remained displaced due to repeated attacks, while around 1 million people were living in areas considered too dangerous or inaccessible for aid workers to reach. What is more, the lack of access to humanitarian assistance has worsened existing human rights problems. Many affected communities struggled to obtain basic necessities such as food and healthcare.⁴¹



Figure 8: The humanitarian crisis in northeastern Nigeria⁴²

1.3. Wider macroeconomic effects

Terrorism also affects national economies on a broader level. Macroeconomically, the consequences of terrorism decline rates of the gross domestic product (GDP). Indirect

³⁹ National Counterterrorism Center, n.d.

⁴⁰ World Bank, 2020.

⁴¹ Obiezu, 2022.

⁴² Ibid.

impacts on the economy may occur, such as reduced growth in GDP, inflation, and unemployment, and reduced trade or public investment funds. States' capacities to invest in economic or social projects also reduce, and the impact is felt more by vulnerable states.⁴³

The United Nations Human Rights Council explains that terrorism weakens the ability of states to invest in social and economic development because resources are redirected toward security and emergency response.⁴⁴ For example, instead of building schools or hospitals, governments may need to spend more on military and police forces.

1.4. Rising costs for society

Terrorism also creates hidden economic costs that affect society, such as higher insurance prices in risky areas (raised insurance premiums), increased security costs for businesses and airports, compensation payments for victims, and loss of tourism income. After major attacks, tourists avoid affected countries or cities because of safety concerns.⁴⁵

EXAMPLE: Effects on economic sectors in Egypt

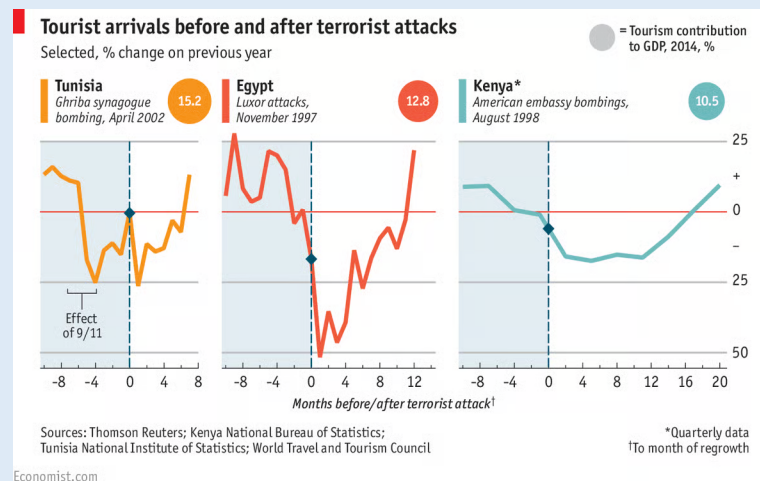


Figure 9: Tourist arrivals before and after terrorist attacks⁴⁶

For example, Egypt experienced severe economic losses after repeated terrorist incidents targeting tourists and public areas, with international arrivals and tourism revenue

⁴³ UNHRC, 2021.

⁴⁴ Ibid.

⁴⁵ Investopedia, 2016.

⁴⁶ The Economist, 2015.

sharply declining. These cases demonstrate that terrorism affects not only conflict zones but also key economic sectors such as tourism, even in countries not directly involved in armed conflict.⁴⁷ These impacts demonstrate that terrorism can affect even sectors not directly related to conflict.

1.5. Forced migration and displacement

Terrorism is also closely connected to forced migration and displacement. People living in areas affected by violence are often forced to flee their homes in search of safety elsewhere. This creates refugees, who cross international borders, and internally displaced persons, who move within their own country.⁴⁸

This movement is often linked to the breakdown of economic life. When people flee, they lose their jobs, businesses collapse, and local economies shrink.⁴⁹ The **UN Refugee Agency (UNHCR)** highlights that conflict and violence, including terrorism, are among the main drivers of forced displacement worldwide.⁵⁰

2. Negative effects of terrorism on the enjoyment of social rights

Based on **the United Nations Universal Declaration of Human Rights (UNDHR)**, social rights include the right to education (**Article 26**), the right to an adequate standard of living, including housing and healthcare (**Article 25**), social security (**Article 22**), and human dignity and equality. These rights are essential because they ensure that people can live with dignity and have equal opportunities in society. Terrorism significantly disrupts these rights, especially in conflict-affected regions where violence is ongoing or repeated.

2.1. Disruption of basic services

The United Nations Human Rights Council has emphasized that **terrorism weakens access to basic services** and **undermines long-term social development**.⁵¹ One of the most

⁴⁷ Al Jazeera, 2017.

⁴⁸ Verme & Schuettler, 2021.

⁴⁹ Ibid.

⁵⁰ United Nations High Commissioner for Refugees, n.d.

⁵¹ United Nations Human Rights Council Advisory Committee, 2021.

direct impacts of terrorism is the destruction or weakening of essential public services. In conflict zones, schools, hospitals, and public infrastructure are deliberately attacked or damaged. This means that children cannot go to school safely, hospitals cannot function properly, medical staff may flee dangerous areas, social services collapse or become unavailable. Even when buildings are not destroyed, fear alone can prevent people from using services. Parents may stop sending children to school, and doctors may leave high-risk areas, creating long-term gaps in education and healthcare systems.⁵²

2.2. Impact on children's rights

Children are disproportionately affected by terrorism. Terrorist attacks can lead to death or serious injury, sexual violence and exploitation, forced recruitment into armed groups, disruption or complete loss of education, and severe psychological trauma (anxiety, post-traumatic stress disorder, depression).⁵³

Attacks on schools are recognized by the United Nations as one of the “six grave violations” against children in armed conflict. These violations include the direct targeting of educational facilities through bombing or shelling, the occupation of schools by armed forces or armed groups, and the use of threats or violence that forces schools to close. Such actions directly violate international humanitarian law, which classifies schools as civilian objects that are protected against targeting during an armed conflict. The consequences of these attacks are severe and long-lasting. Physical destruction of school buildings and infrastructure makes normal education impossible, while insecurity often leads to the complete closure of schools even when they are not directly damaged. In many cases, teachers and students are forced to flee, and the presence of armed actors in or near schools creates an environment where learning is unsafe or impossible. This results in millions of children being deprived of education, with serious long-term impacts on individual development and the stability of entire communities.⁵⁴ In some cases, children

⁵² United Nations Children’s Fund, n.d.

⁵³ Ibid.

⁵⁴ United Nations Children’s Fund, n.d.

fall **victim to recruitment** by groups such as Da'esh, the Nusrah Front and Al-Qaida. Terrorist (and extremist) groups exploit children's vulnerability to boost their visibility.⁵⁵

EXAMPLE: Kidnapping of the Nigerian schoolgirls

One widely known example is the kidnapping of the Chibok schoolgirls in Nigeria by Boko Haram in 2014. Boko Haram abducted up to 300 students (girls) from a boarding school. This drew international attention to the severe impact of terrorism on children's rights and access to education.⁵⁶

What is concerning is that **children, whose parents are linked with terrorist groups**, experience social **exclusion**. They are stranded in detention centres and often have limited access to basic rights such as the rights to food, shelter, and access to clean water, medicine, and education, and are exposed to harassment, sexual abuse, and trafficking. This underscores their right not to be **undermined** by the actions of their parents, as constituted in **the Convention on the Rights of the Child (CRC)**.⁵⁷

International law clearly protects children from being involved in **exploitation**. Such actions are a violation of **the Additional Protocol to the Geneva Conventions of 12 August 1949**,⁵⁸ **article 77 (2)** of which **prohibits the recruitment and participation in hostilities** of children under the age of 15. In addition, **article 1** of **the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict**⁵⁹ declares 18 years as the minimum legal age for the **recruitment** and use of children in hostilities. Numerous **Security Council Resolutions** also address the protection of children in situations of armed conflict.⁶⁰

⁵⁵ UNHRC, 2021.

⁵⁶ Campbell, 2014.

⁵⁷ UNHRC, 2021; United Nations General Assembly, *Convention on the Rights of the Child (CRC)*, A/RES/44/25, adopted 20 November 1989, entered into force 2 September 1990.

⁵⁸ United Nations, *Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I)*, 1125 UNTS 3, adopted 8 June 1977, entered into force 7 December 1978.

⁵⁹ United Nations General Assembly, *Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict*, A/RES/54/263, 2173 UNTS 222, adopted 25 May 2000, entered into force 12 February 2002.

⁶⁰ UNHRC, 2021.

2.3. Impact on women's rights

Women are also disproportionately affected by terrorism, often due to existing gender inequalities in society. Terrorist groups frequently use **sexual and gender-based violence** as a tool of control and intimidation. This can include rape and sexual slavery, forced marriage, trafficking, sexual slavery, and intimidation of women activists and leaders as tools of control and terror.⁶¹

EXAMPLE: Atrocities committed against the Yazidi women and girls

One of the most well-known examples is the treatment of Yazidi women and girls by ISIS in Iraq. The United Nations report describes widespread and systematic atrocities committed against the Yazidi community, including mass killings, forced displacement, forced conversions, sexual violence, and sexual slavery. Survivors reported that women and girls were abducted, sold multiple times, and subjected to repeated abuse, while men and boys were often separated from their families and executed.⁶²

Terrorist groups use sexual violence for several reasons. Their idea is to terrorize entire communities, to force population displacement, to generate income through trafficking, to control women's reproductive roles, or to reinforce extremist ideologies about gender (many extremists classify women as second-class persons). This shows that sexual violence is not random, but is often used deliberately as a weapon of war.⁶³

Even when women are not directly attacked, terrorism still **affects them indirectly**. For example, in areas affected by terrorism, women are often the first to lose access to jobs and education because families prioritize safety over mobility. In such conditions, women may be less able to work or attend school, political participation decreases, mobility becomes restricted due to safety concerns, and gender inequality becomes more severe.⁶⁴

⁶¹ UNHRC, 2021.

⁶² United Nations Assistance Mission for Iraq & Office of the United Nations High Commissioner for Human Rights, 2016.

⁶³ UNHRC, 2021.

⁶⁴ UNHRC, 2021.

International law clearly condemns gender-based violence in conflict, particularly in situations of terrorism (and armed conflict). **The Convention on the Elimination of Discrimination against Women (CEDAW)**, through its **General Recommendation No. 30** (2013),⁶⁵ clarifies that States have an obligation to protect women and girls from all forms of gender-based violence, including during conflict situations. Further, States must take preventive and protective measures to ensure that women are not disproportionately affected by insecurity, displacement, or armed violence.⁶⁶

In addition, **United Nations Security Council Resolution 1325 on Women, Peace and Security**⁶⁷ represents a framework that is highly relevant in the context of armed conflict involving terrorist groups, because it emphasizes the protection of women and girls from sexual and gender-based violence, as well as their participation in conflict resolution processes.⁶⁸

3. Negative effects of terrorism on the enjoyment of cultural rights

Terrorism also affects cultural rights, including the right to participate in cultural life and to preserve cultural heritage. In terrorist attacks, cultural sites, religious institutions, museums, historical artifacts, and other places of cultural and spiritual importance are frequently targeted. The destruction of cultural heritage is **not only a material loss** but also **an attack on identity, history, religion, and collective memory**. Such destruction can have long-term psychological and societal consequences, particularly for communities whose cultural heritage is directly targeted.⁶⁹ **United Nations Educational, Scientific and Cultural Organization (UNESCO)** has described such acts as attacks on humanity's shared cultural heritage.⁷⁰

EXAMPLE: Targeting cultural heritage in conflict zones

⁶⁵ Committee on the Elimination of Discrimination against Women, *General Recommendation No. 30 on Women in Conflict Prevention, Conflict and Post-conflict Situations*, CEDAW/C/GC/30, adopted 1 November 2013.

⁶⁶ United Nations Committee on the Elimination of Discrimination against Women, 2013.

⁶⁷ United Nations Security Council, *Resolution 1325 (2000) on Women and Peace and Security*, S/RES/1325 (2000), adopted 31 October 2000.

⁶⁸ United Nations, n.d.

⁶⁹ UNHRC, 2021.

⁷⁰ United Nations Educational, Scientific and Cultural Organization, 2020.

Terrorist groups, particularly ISIS, have deliberately targeted cultural heritage in conflict zones such as Iraq, Syria, and Yemen. According to UNESCO, cultural objects (museums, archaeological sites, monuments, and historical artifacts) have been destroyed. This destruction is not random but often organized and economically motivated, with stolen artifacts even being used to finance terrorist activities.

- Raqqa Museum in Syria was stripped of hundreds of important artifacts by ISIS.
- In Mosul, Iraq, mosques, churches, museums and statues were destroyed by ISIS.⁷¹

The destruction of cultural heritage by terrorist groups is a **part of a broader strategy** that erases identity and historical memory, destabilizes communities, and finances terrorist operations through illegal trafficking of cultural goods.⁷²

4. Negative effects of terrorism on the enjoyment of civil and political rights

Beyond everything, terrorism directly affects fundamental civil and political rights, including the right to life, freedom of movement, freedom of expression, freedom of assembly, and the right to security and liberty.

Fear and insecurity caused by terrorist attacks can discourage democratic participation and weaken trust in institutions. At the same time, governments may introduce strict security measures that risk limiting **civil liberties**. For example, expanded **surveillance** programs or emergency laws introduced after terrorist attacks have sometimes raised concerns about privacy, freedom of expression, and discrimination against certain communities. This demonstrates **the challenge of protecting both national security and human rights at the same time**.⁷³

⁷¹ United Nations Educational, Scientific and Cultural Organization, 2020.

⁷² Ibid.

⁷³ UNHRC, 2021.

b) Human rights impacts of counter-terrorism measures

1. Tension between counter-terrorism and human rights

The tension between counter-terrorism measures and the protection of human rights is one of the central issues.⁷⁴

The United Nations Global Counter-Terrorism Strategy (A/RES/60/288) is a global mechanism to enhance national, regional and international efforts to counter terrorism. By its adoption, all Member States (by consensus) agreed to a common strategic approach to countering terrorism. The Strategy is composed of **four pillars**, namely:

1. measures to address the conditions conducive to the spread of terrorism;
2. measures to prevent and **combat** terrorism;
3. measures to build States' capacity to prevent and **combat** terrorism and to strengthen the role of the United Nations system in that regard;
4. measures to ensure respect for human rights for all and the **rule of law** as the fundamental basis of the fight against terrorism.⁷⁵

The United Nations emphasizes that while States have a legitimate obligation to protect their populations from terrorism, all counter-terrorism measures must remain fully compliant with international human rights law. This **dual obligation** requires states to ensure that all counter-terrorism measures are lawful, necessary, and proportionate. This includes safeguards against **arbitrary** detention, excessive **surveillance**, and restrictions on fundamental freedoms.⁷⁶

EXAMPLE: The USA PATRIOT Act after 9/11 terrorist attacks in 2001

The law gave U.S. government more power to monitor communications, access personal information, and investigate possible terrorist activity in order to prevent future attacks. Supporters argued that these measures were necessary to improve national security. However, critics raised concerns that the increased **surveillance** could threaten people's

⁷⁴ UNHRC, 2021.

⁷⁵ United Nations General Assembly, 2006.

⁷⁶ United Nations Counter-Terrorism Implementation Task Force, 2014.

privacy and civil liberties. Critics believe that the Patriot Act gave the government too much access to people's private information and weakened the »checks and balances« that normally prevent misuse of power. This means that authorities had access to private data with less public oversight and transparency.⁷⁷

Counter-terrorism and human rights are not contradictory goals, but work as **mutually reinforcing responsibilities**. States are therefore expected to ensure that all counter-terrorism measures comply with international law, including international humanitarian law and refugee law.⁷⁸ This means that measures that are excessive, discriminatory, or lacking legal safeguards may violate fundamental rights.

Human rights protection is identified as one of the four essential pillars of the international counter-terrorism efforts, as adopted by the UN Global Counter-Terrorism Strategy by the General Assembly in 2006. The Strategy finds that human rights violations, discrimination, political exclusion, poverty, and lack of opportunities may create environments in which violent extremism is more likely to develop. When individuals or communities feel marginalized, oppressed, or denied access to justice and basic rights, they may become more vulnerable to extremist ideologies and recruitment by terrorist groups. For this reason, effective long-term counter-terrorism strategies cannot focus solely on military action or security measures. In addition to preventing attacks and strengthening national security, governments must also address the social, political, and economic conditions that may contribute to instability and extremism. This includes promoting education, social inclusion, economic development, good governance, and respect for human rights and the rule of law.⁷⁹

The United Nations has repeatedly emphasized that governments must be careful when fighting terrorism and should always be held accountable for the actions they take. Although states have a legitimate responsibility to protect their populations from terrorism and maintain national security, the measures they adopt to achieve these goals must still

⁷⁷ Electronic Frontier Foundation, n.d.

⁷⁸ United Nations Office of Counter-Terrorism, n.d.

⁷⁹ United Nations Office of Counter-Terrorism, n.d. Read also Michel & Schyns, 2016.

respect international human rights and the **rule of law**. In response to terrorism, some governments have introduced very strict security measures. These can include monitoring large amounts of people's online activity and communications (mass **surveillance**), holding suspects in prison for long periods without trial, limiting protests or public criticism, and giving police or security agencies broader powers. Governments usually argue that these measures are necessary to keep the population safe and prevent future attacks. However, the United Nations warns that such measures can become dangerous if there are no clear limits or oversight. For example, excessive **surveillance** may violate people's right to privacy, detention without trial can **undermine** the right to a fair legal process, and restrictions on free speech may weaken democracy and discourage public participation. For this reason, counter-terrorism policies should balance national security with the protection of human rights. Governments should take action against terrorism, but those actions must be lawful, fair, and proportionate so that protecting national security does not come at the cost of fundamental rights.⁸⁰

To address this concern, the UN provides **guidance and training programs for law enforcement officials** (police officers), border security officials, and government policymakers. In addition, different UN agencies work on this. For example, **the Office of Counter-Terrorism** works with human rights experts and criminal justice experts to help countries develop strategies that prevent terrorism without violating people's rights.⁸¹

The UN also pays special attention to **groups who are more vulnerable** in these situations. This includes women, children, refugees, and people who have been directly affected by terrorism. These groups often need extra protection and support, both during terrorist attacks and when governments respond to them. Because of this, the UN encourages programs that support victims, involve young people and women in prevention efforts, and consider how terrorism affects men and women differently.⁸²

⁸⁰ United Nations Office of Counter-Terrorism, n.d.

⁸¹ United Nations General Assembly, 2006.

⁸² Brown & Sayed, 2022.

2. The importance of addressing root causes of terrorism: radicalisation prevention

2.1. Understanding radicalisation

A key part of understanding terrorism today is understanding why people become radicalised in the first place. Radicalisation refers to **the process through which individuals gradually adopt extreme beliefs that may justify or lead to violence**. There is no single reason why radicalisation happens. Instead, it is usually caused by a mix of personal, social, political, and economic factors. People may become vulnerable when they feel excluded from society, face discrimination, or believe that they have no fair opportunities in life.⁸³

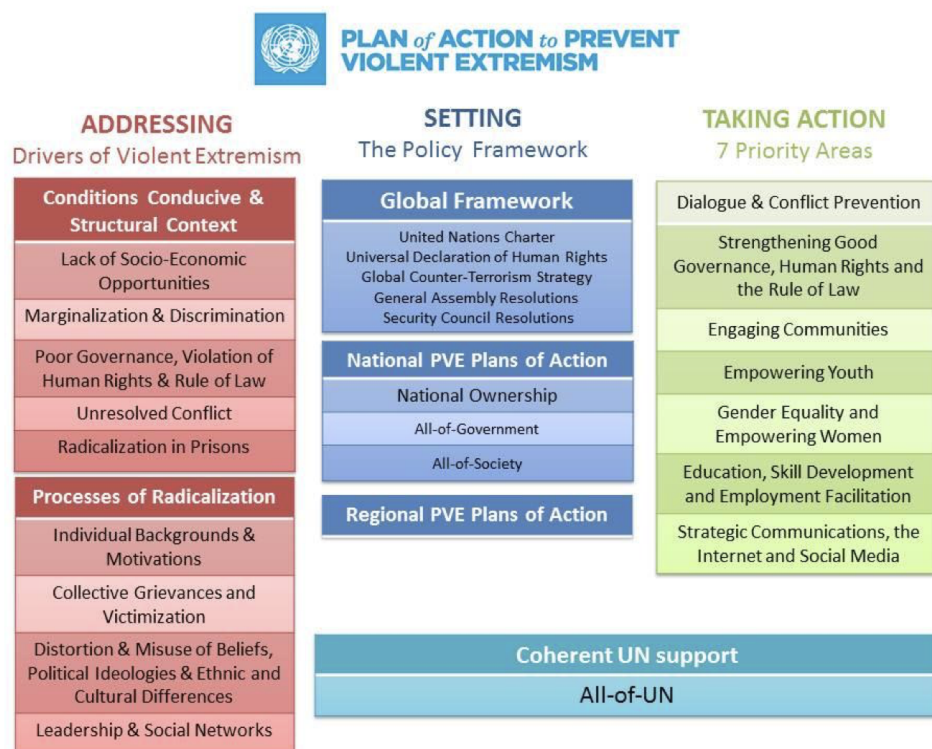


Figure 10: Plan of Action to Prevent Violent Extremism (2015)⁸⁴

The United Nations increasingly recognizes that **terrorism cannot be prevented through security measures alone**. Understanding the factors that may contribute to radicalisation is therefore considered an important part of long-term counter-terrorism strategies.⁸⁵

⁸³ American Public University System, n.d.

⁸⁴ United Nations Office of Counter-Terrorism, n.d.

⁸⁵ United Nations Global Counter-Terrorism Strategy (A/RES/60/288).

Governments and international organizations should address inequality, discrimination, lack of education, and social **exclusion** while ensuring respect for human rights as these factors can contribute to radicalisation and violent extremism (such as terrorism).⁸⁶

2.2. Social and political causes

Many studies highlight that **radicalization** often develops in environments where people feel politically or socially excluded. This can include situations where individuals believe that their voices are not heard, their rights are ignored, or they are treated unfairly by the government or society. These feelings of injustice can make extremist narratives more attractive, especially when they promise change or revenge.⁸⁷

The UN Global Counter-Terrorism Strategy also recognizes that prolonged discrimination, political **exclusion**, human rights violations, and lack of access to justice may contribute to conditions in which violent extremism becomes more likely.⁸⁸

2.3. Economic inequality and lack of opportunities

Economic conditions also play an important role. Poverty, unemployment, and lack of education can increase vulnerability to **radicalization**, especially when combined with social **exclusion**. However, it is important to understand that poverty alone does not cause terrorism. Instead, it can become a risk factor when combined with political frustration or lack of opportunities.⁸⁹

2.4. Online radicalization and extremist propaganda

In today's world, the internet and social media also play a major role. Extremist groups can use online platforms to spread propaganda, **recruit** new members, and create platforms where extreme ideas are reinforced. Research shows that media content can influence how individuals think about identity, conflict, and political issues, sometimes increasing the risk

⁸⁶ United Nations Secretary-General, 2015.

⁸⁷ Treistman, J, 2024.

⁸⁸ United Nations General Assembly, 2006.

⁸⁹ American Public University System, n.d.

of radicalisation.⁹⁰ At the same time, research shows that controlling extremist content online is not always successful. Removing extremist posts or spreading messages against terrorism can sometimes help reduce radicalisation, but it can also have unexpected effects, such as pushing extremist groups to hidden platforms where they are harder to monitor or making some people more curious about the content.⁹¹

2.5. Psychological factors

Radicalisation is also influenced by personal experiences. Some individuals may go through identity crises, trauma, or a search for belonging. In such cases, extremist groups may offer a sense of purpose, community, or identity that feels appealing to vulnerable individuals.⁹²

3. How international law responds to terrorism while protecting human rights

International law makes it clear that fighting terrorism does not mean States can ignore human rights. States must protect their citizens while still respecting basic freedoms and international rules. The legal framework for dealing with terrorism and human rights comes from **several areas of international law**:

- international human rights law always protects individuals' basic rights;
- international humanitarian law controls how wars are fought;
- refugee law protects people who qualify for refugee status;
- international criminal law allows individuals responsible for serious crimes to be held accountable.⁹³

KEY INTERNATIONAL INSTRUMENTS:

- United Nations Charter;
- Universal Declaration of Human Rights (UDHR);
- International Covenant on Civil and Political Rights (ICCPR);

⁹⁰ Wolfowicz et al, 2023.

⁹¹ Lane et al, 2017.

⁹² Schröder, Bruns, Lehmann, Goede, Bliesener & Tomczyk, 2022.

⁹³ United Nations Office on Drugs and Crime, n.d. Also as adopted in United Nations Security Council resolution 1456 (S/RES/1456).

- International Covenant on Economic, Social and Cultural Rights (ICESCR);
- Geneva Conventions;⁹⁴
- Security Council resolutions;
- General Assembly frameworks;
- Convention on the Rights of the Child (CRC);
- Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) – General Recommendation No. 30 (2013).

Although the **United Nations Charter**,⁹⁵ adopted in 1945, does not specifically define terrorism, it establishes the principles that are directly relevant to international responses to terrorism (counter-terrorism efforts). One of the main purposes of the United Nations, stated in **Article 1** of the Charter, is to **maintain international peace and security**. Terrorism threatens this goal because terrorist attacks can create instability, fear, deaths, injuries, force people to leave their homes, and damage economies and communities (humanitarian crises that can affect entire regions). At the same time, the Charter also emphasizes the **importance of protecting human rights and fundamental freedoms**. This is important because it means that states must **combat** terrorism in ways that remain consistent with international law and respect for human rights. In other words, national security cannot be used as a justification for unlimited state power because it can lead to violations of human rights.⁹⁶

Universal Declaration of Human Rights (UDHR) of 1948 is the foundation of modern human rights law. Although it is **not** a **legally binding** instrument, it established the basic rights that later treaties protect. Terrorism directly threatens several rights protected by the UDHR. For example, **Article 3** states that everyone has **the right to life, liberty and security of person**. Terrorist attacks violate this right by intentionally causing deaths, injuries, fear, and insecurity among civilians. Attacks on schools, markets, public spaces,

⁹⁴ United Nations, *Geneva Conventions of 12 August 1949*, 75 UNTS 31, 85, 135, 287, adopted 12 August 1949, entered into force 21 October 1950.

⁹⁵ United Nations, *Charter of the United Nations*, 1 UNTS XVI, signed 26 June 1945, entered into force 24 October 1945.

⁹⁶ United Nations, 1945.

and communities do not only harm individuals but can also create long-term instability that prevents people from living safely and freely. However, the UDHR also applies when governments respond to terrorism. For example, **Article 12** protects **the right to privacy** and states that people should not face unnecessary interference with their personal lives. This means that measures such as mass **surveillance**, collecting personal data, or monitoring communications must have legal limits and proper oversight.⁹⁷

International Covenant on Civil and Political Rights (ICCPR)⁹⁸ is a foundational UN treaty adopted in 1966 (in force since 1976) that binds over 175 nations to protect fundamental human rights⁹⁹, including:

- **the right to life** (Article 6) and **the prohibition of torture** (Article 7);
- **the prohibition of slavery and forced labour** (Article 8);
- **the prohibition of discrimination** on the grounds of race, colour, sex, language, religion etc. (Article 2(1), Article 26);
- **procedural rights** (Article 9, Article 14);
- **freedom of thought, religion** (Article 18);
- **political rights** (Article 25).¹⁰⁰

International Covenant on Economic, Social and Cultural Rights (ICESCR) is a UN treaty from 1966 that legally binds over 170 parties to protect rights related to:

- **education** (Article 13, Article 14);
- **healthcare** (Article 12);
- **labour** (Article 6, Article 7, Article 8);
- **housing** (Article 11(1));
- **adequate standard of living** (Article 11(1)).¹⁰¹

The Treaty is relevant here because terrorist attacks on schools can prevent children from learning (undermining the right to education); violence can destroy hospitals or prevent

⁹⁷ United Nations, 1948.

⁹⁸ United Nations General Assembly, *International Covenant on Civil and Political Rights (ICCPR)*, A/RES/2200(XXI), 999 UNTS 171, adopted 16 December 1966, entered into force 23 March 1976.

⁹⁹ Federal Department of Foreign Affairs, n.d.

¹⁰⁰ Council of Europe, n.d. Also Federal Department of Foreign Affairs, n.d.

¹⁰¹ Office of the United Nations High Commissioner for Human Rights, 1966.

people from accessing medical care (undermining the right to healthcare); attacks can force families to leave their homes (undermining the right to housing and an adequate standard of living); terrorism can destroy businesses, farms, and job opportunities (undermining the right to work).

UN Security Council has adopted numerous **resolutions** addressing terrorism. One of the most important is **Resolution 1373 (2001)**,¹⁰² adopted after the 9/11 terrorist attacks, which requires states to **prevent terrorist financing, strengthen border security, share intelligence, and improve international cooperation**.¹⁰³ Also important is Security Council **Resolution 1456 (2003)**,¹⁰⁴ which reminds countries that, even when fighting terrorism, they must **follow international law and protect human rights**. Governments cannot ignore people's rights in the name of national security.¹⁰⁵

UN Global Counter-Terrorism Strategy, adopted in 2006, is the main international framework that guides how countries work together to prevent and respond to terrorism. A key idea is that protecting human rights is not separate from fighting terrorism, but it is an essential part of creating long-term security. The UN recognizes that when people experience human rights violations, discrimination, or a lack of trust in governments, these problems can create conditions that extremist groups may exploit.¹⁰⁶

Children are often among the most affected by terrorism. The **Convention on the Rights of the Child (CRC)** of 1989 protects the **right to education**, ensures **protection from violence**, and **psychological recovery** following armed conflict. This matters because terrorist attacks can result in closing schools, **recruitment** or harming of children, and preventing access to education.¹⁰⁷

General Recommendation No. 30 in the **Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)** is relevant to terrorism because extremist

¹⁰² United Nations Security Council, *Resolution 1373 (2001)*, S/RES/1373 (2001), adopted 28 September 2001.

¹⁰³ United Nations Security Council, 2001.

¹⁰⁴ United Nations Security Council, *Resolution 1456 (2003)*, S/RES/1456 (2003), adopted 20 January 2003.

¹⁰⁵ United Nations Security Council, 2003.

¹⁰⁶ United Nations General Assembly, 2006.

¹⁰⁷ United Nations General Assembly, 1989.

groups have often used violence against women and girls as a method of control and intimidation. For example, terrorist organizations may target girls' education, kidnap women and children, or use sexual violence to spread fear in communities. These actions violate human rights, including the rights to security, education, dignity and equality.¹⁰⁸

Conclusions

- **Threat to human rights:** acts of terrorism, as well as States' responses to them, can threaten the enjoyment of several human rights.
- **Impact on vulnerable groups:** women, children, refugees, minorities, and displaced people are often affected the most.
- **Addressing root causes:** preventing terrorism cannot rely solely on security measures – it also requires addressing discrimination, inequality, exclusion, poverty, and lack of opportunities.
- **International cooperation:** sustainable peace requires cooperation between States and strong protection of human rights.

Points a resolution should address

Delegates should consider the following questions when discussing the effects of terrorism on the enjoyment of human rights:

- **Should the international community establish a universal definition of terrorism?** How could a common definition improve international cooperation and legal accountability?
- **How can states effectively combat terrorism while respecting human rights and the rule of law?** Where should the balance between national security and individual freedoms be drawn?

¹⁰⁸ Committee on the Elimination of Discrimination against Women, 2013.

- **What safeguards should be introduced to prevent the abuse of counter-terrorism laws and measures?** How can governments ensure that surveillance, detention, and other security measures do not violate human rights?
- **Should international oversight of counter-terrorism measures be strengthened?** What role should the United Nations and other international monitoring mechanisms play in ensuring compliance with international law?
- **How can victims of terrorism be better protected, supported, and compensated?** What responsibilities do governments and the international community have towards victims?
- **What legal or policy reforms are needed to improve accountability for both States and non-state actors involved in terrorism or human rights violations?**
- **How can countries rebuild communities affected by terrorism in a way that protects and promotes human rights?** What role should education, economic development, and social inclusion play in long-term recovery and preventing future radicalisation?

Additional preparation materials

VIDEO RESOURCES:

- The UN Human Rights Council – the first 50 sessions (2006-2022):
<https://www.youtube.com/watch?v=VMqrZgzi2Y>

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Topic B:
NICARAGUA:
PERSECUTION BEYOND BORDERS



Figure 11: Daniel Ortega and Rosario Murillo¹⁰⁹

¹⁰⁹ The Guardian, 2022. Photograph by Alfredo Zuniga.

KEY TERMS USED	THEIR DEFINITIONS
anti-money laundering and countering the financing of terrorism (AML/CFT) networks	networks of authorities, institutions, and organisations that cooperate to prevent, detect, and combat money laundering and the financing of terrorism
arbitrary	done without a fair reason, clear rules, or proper legal process
asylum	protection granted by a State to a foreign national fleeing persecution in their home country, allowing them to stay and not be sent back
cadastre	an official record of land and property, including information about their location, boundaries, ownership, and value
civil records	the continuous, permanent, compulsory and universal recording of the occurrence and characteristics of vital events pertaining to the population as provided through decree or regulation in accordance with the legal requirements of a country
cumulative	increasing or building up through the combination of multiple things over time
de facto	existing in practice, even if not officially or legally recognized
deprivations of nationality	any loss, withdrawal or denial of someone's nationality by a State that has not been voluntarily requested
extrajudicial detentions	detention or deprivation of liberty carried out outside, or without recourse to, judicial process
INTERPOL's Stolen and Lost Travel	a database containing information on travel documents that have been reported as stolen, lost, revoked, or invalid, allowing border and law-enforcement authorities to check whether a travel document is listed

Documents (SLTD) database	
INTERPOL's Red Notice system	a Red Notice is an international alert for a wanted person, but it is not an arrest warrant – it is used to simultaneously alert police in all member countries about internationally wanted fugitives, published at the request of a member country and required to comply with INTERPOL's Constitution and Rules INTERPOL cannot compel the law enforcement authorities in any country to arrest someone who is the subject of a Red Notice
judicial independence	the ability of courts and judges to perform their duties free of influence or control by other actors, whether governmental or private
lawful residence	residence in a country held under, and in accordance with, a valid legal basis recognized by that State's immigration or residence law
legal limbo	a situation in which a person's legal status or rights are uncertain or unresolved, leaving them without clear legal protection or a clear way to resolve their situation
legal remedy	a legal means or procedure available to a person to enforce their rights before a court or other competent authority
principle of legality	no one can be punished for an act unless a law clearly defined it as a crime before the act was committed
refugee status	a legal status granted to a person who meets the definition of a refugee under the 1951 Refugee Convention , ¹¹⁰ which defines a refugee as a person who: "owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of [their] nationality and is unable or, owing to such fear, is unwilling to avail [themselves] of the protection of that country"

¹¹⁰ United Nations, *Convention relating to the Status of Refugees*, 189 UNTS 137, adopted 28 July 1951, entered into force 22 April 1954.

repentance	the act of feeling regret for having committed a wrong or harmful act
retroactively	applying to past actions — a law, rule, or court decision that creates effect for situations that took place before it came into effect
rule of law	the principle that everyone, including governments, must follow the law
Sandinista National Liberation Front (FSLN)	a Nicaraguan political and revolutionary organisation founded in 1961 and named after Augusto César Sandino, which has remained the ruling political party in Nicaragua since Ortega returned to the presidency in 2007
stateless person	a person who is not considered as a national by any State under the operation of its law
under jurisdiction (of)	subject to the legal authority of a particular State because they are located within its territory or are under its control

General situation in Nicaragua



Figure 12: Nicaragua on a map¹¹¹

¹¹¹ Retrieved from Britannica, 2026.

Nicaragua is a Central American country that has been **continuously governed by President Daniel Ortega since 2007**. It is **one of the poorest countries** in the world, with the second lowest per capita income in the Western Hemisphere.¹¹² Additionally, the country **has been designated as "Not Free"** by Freedom House, with a score of 2/40 on political rights and 12/60 on civil liberties.¹¹³

These findings by Freedom House are the result of a decades-long campaign by President Daniel Ortega, who initiated democratic deterioration ever since his election in 2006. In the decades that followed, Ortega brought all branches of government under direct party control, limited fundamental freedoms, and began an era of unchecked corruption in government. A flashpoint came with **the 2018 mass anti-government protests**, which state forces **met with widespread violence and repression**. Ever since, the **rule of law** has continued to collapse, with rights monitors reporting killings, **extrajudicial detentions**, disappearances, and torture. More recently, Ortega's regime has further consolidated power by engaging in surveillance, removing press freedoms, arresting political opponents, sending opposing voices into exile, and stripping them of their citizenship, as will be explained in the following section of this study guide.¹¹⁴

The situation in Nicaragua was made even worse by the **reforms enacted in 2025**. Most infamously, the new reforms instituted the joint role of co-presidents, which is now held by Daniel Ortega, who has been president since 2007, and his wife and former vice president, Rosario Murillo. Importantly, the 2025 reforms were far more widespread than just this move and also massively expanded the powers of the executive branch. The reforms stipulate that the presidency "coordinates" the legislative, judicial, electoral, and oversight bodies, as well as the national police.¹¹⁵ **This essentially means that Nicaragua has become a totalitarian state, where the co-presidents hold all the power of the state.**

¹¹² Rios, 2024.

¹¹³ Freedom House, 2026.

¹¹⁴ Ibid.

¹¹⁵ Ibid.

At present, there is **no independent judiciary** in Nicaragua, with Freedom House giving Nicaragua a 0/4 score on **judicial independence**.¹¹⁶ Judicial independence was also heavily curtailed by the 2025 reforms, with the presidency, as previously mentioned, now having direct control of the courts. Additionally, the judiciary has been reorganized into a unitary structure with the Supreme Court of Justice at the top, with the reforms also outlining that the National Assembly elects magistrates to serve on this court.¹¹⁷

Transnational violations of human rights

1. Deprivations of nationality

1.1. Background

Since 2023, Nicaragua has faced an **unprecedented wave of deprivations of nationality**, with the most recent reporting from the Group of Human Rights Experts on Nicaragua **documenting 452 cases of Nicaraguans declared "traitors to the homeland"** through court rulings, with the true **number of victims likely being significantly higher**, as many cases have remained undocumented due to fear of reprisals or the covert nature of the proceedings. These cases encompass a wide array of people whom the Nicaraguan regime considers a threat to its power. Among those deprived of their nationality are political leaders, human rights defenders, women's rights activists, student leaders, academics, local leaders, journalists and media professionals, writers, lawyers, members of the Catholic Church and other Christian denominations, entrepreneurs, opponents' relatives, and former public officials.¹¹⁸

1.2. The legal framework

These deprivations are taking place through, and with the full support of, the Nicaraguan courts. The legal framework which has allowed for them rests on **two principal instruments. The Special Law Regulating the Loss of Nicaraguan Nationality (Law No.**

¹¹⁶ Freedom House, 2026.

¹¹⁷ Cabrera, 2025.

¹¹⁸ Group of Human Rights Experts on Nicaragua, 2025.

1145),¹¹⁹ adopted on 9 February 2023, which stipulates that persons sentenced under **the Law on the Defence of People's Rights to Independence, Sovereignty and Self-Determination for Peace (Law No. 1055)**¹²⁰ automatically lose their Nicaraguan nationality.

Law No. 1055 provides for a notably **broad definition of the figure of "traitor to the homeland,"** stipulating that *individuals who support or engage in acts deemed to undermine Nicaragua's sovereignty, constitutional order, or national interests* may be declared as such.¹²¹ The vagueness of these legal definitions goes against the fundamental principle of legality, and, given the broad terms used as a basis for the sanctions, the law has been used to target virtually any dissenters to the current Nicaraguan regime. This subversion of the rule of law is deliberate, by formalizing arbitrary actions through legislation applied retroactively and through constitutional amendments, the Nicaraguan State has eliminated any domestic legal avenue by which victims could challenge the deprivation of their nationality.¹²²

ESSENTIAL: The actions taken under this framework are in **clear violation of Nicaragua's international obligations:**

- article 15(2) of **the Universal Declaration of Human Rights** and article 20(3) of **the American Convention on Human Rights**¹²³ both prohibit the arbitrary deprivation of nationality;
- **the Convention on the Reduction of Statelessness** of 1961,¹²⁴ ratified by Nicaragua in 2013,¹²⁵ establishes that States shall not deprive a person of their

¹¹⁹ *Special Law Regulating the Loss of Nicaraguan Nationality (Law No. 1145)*, adopted on 9 February 2023, published in La Gaceta No. 25, 10 February 2023.

¹²⁰ *Law on the Defence of the People's Rights to Independence, Sovereignty and Self-Determination for Peace (Law No. 1055)*, adopted on 21 December 2020, published in La Gaceta No. 237 on 22 December 2020.

¹²¹ Article 1 of Law No. 1055

¹²² Group of Human Rights Experts on Nicaragua, 2025.

¹²³ Organization of American States, *American Convention on Human Rights*, 1144 UNTS 123, adopted 22 November 1969, entered into force 18 July 1978.

¹²⁴ United Nations, *Convention on the Reduction of Statelessness*, 989 UNTS 175, adopted 30 August 1961, entered into force 13 December 1975.

¹²⁵ Group of Human Rights Experts on Nicaragua, 2025.

nationality if such deprivation would render them stateless, and expressly prohibits the deprivation of nationality on political grounds;

- article 12(4) of **the International Covenant on Civil and Political Rights (ICCPR)** also establishes that no one shall be arbitrarily deprived of the right to enter their own country.

1.3. Major incidents of mass denationalization through court decisions

The documented cases of deprivation of nationality reveal the full scope of how entrenched the regime in Nicaragua has become. The deprivations were not carried out in isolation by certain elements of the government, but were instead the product of a coordinated effort by President Ortega and then Vice-President Murillo. Several State institutions acted in concert to execute these decisions. In particular, the National Assembly, the Public Prosecutor's Office, the Supreme Court of Justice and criminal courts of other instances, the Supreme Electoral Council, the Ministry of the Interior, the Ministry of Foreign Affairs, and the Attorney General's Office.¹²⁶

In February 2023, 222 persons who had been arbitrarily detained for political reasons, some since 2018, were expelled to the United States of America and deprived of their nationality. The court order was read by the presiding judge of the first criminal chamber of the Managua Court of Appeal as the 222 persons were already on board a plane heading for the USA. The following day, the presiding judge announced that the Court had deprived the 222 of their nationality, declaring them traitors to the homeland under **Law No. 1145** and **Law No. 1055**. Notably, the Public Prosecutor's Office and the relevant criminal courts had, in the preceding days, retroactively amended the counts and sentences against the victims to strip them of their civil rights permanently and to allow for the application of Law No. 1055, thereby opening the door to their declaration as traitors to the homeland. Shortly after, on 15 February 2023, the president of the Managua Court of Appeal read sentences declaring 94 additional Nicaraguans, the majority of whom were already living outside the country, traitors to the homeland and fugitives from justice. The resolutions ordered the

¹²⁶ Group of Human Rights Experts on Nicaragua, 2025.

deprivation of their nationality and the confiscation of property in favour of the State. None of the victims was informed of any legal proceedings against them, and any trials that took place were held in absentia and in secret.¹²⁷

A second major wave occurred **in September 2024**, when 135 arbitrarily detained Nicaraguans were expelled to Guatemala.¹²⁸ The Supreme Court of Justice announced through a press release dated 9 September 2024 that the first criminal chamber of the Managua Court of Appeal had ordered the deprivation of nationality of those 135 persons. The court order was never published, and the authorities did not disclose the names of the 135 victims, thereby impairing their access to international protection. The identities of the victims were only established through the investigative work of civil society organizations and journalists.¹²⁹

ESSENTIAL: While the documented cases were carried out through the court system in the form of court orders, the persons deprived of their nationality were **afforded none of the legal protections necessary** to challenge those decisions.

In none of the cases were victims informed in advance of the legal proceedings against them, and in most cases any form of appealing became impossible. Victims had already lost their citizenship and civil rights, the courts just said their appeals didn't count and threw them out. The result is that measures which violate human rights are presented as following domestic law, while simultaneously **closing any option of a remedy**.¹³⁰

CONSEQUENCES For those deprived of their nationality are far-reaching. Most of the persons deprived of their nationality **became stateless**, in direct contravention of Nicaragua's obligations under **the Convention on the Reduction of Statelessness of 1961**.¹³¹

¹²⁷ Group of Human Rights Experts on Nicaragua, 2025.

¹²⁸ Reuters, 2024.

¹²⁹ Group of Human Rights Experts on Nicaragua, 2025.

¹³⁰ Ibid.

¹³¹ Ibid.

1.4. Deprivations affecting Nicaraguans leaving abroad

The cases described above concern deprivations of nationality that were formally and publicly carried out against **persons under the direct jurisdiction of Nicaragua**. However, there are also several documented cases in which **Nicaraguans living abroad** were deprived of their nationality without being notified of any legal proceedings to that effect. Some victims reported that, when requesting their birth records, authorities informed them that the documents did not exist.¹³²

Others were informally notified by consular authorities, while attempting to renew their passports, that they had lost their nationality. Most of the victims had initiated **asylum** procedures in third countries or had already obtained **refugee status**. In these cases, the Deputy Minister of the Interior determines whom to target in consultation with Co-President Murillo, based on information gathered through the extensive surveillance and intelligence structure identified. The fact that these victims have little to no evidence to prove the formal deprivation of their nationality severely **undermines** their ability to claim and obtain international protection, rendering them **stateless** while leaving them without the practical means to assert that status. Because many Nicaraguans in exile cannot, or fear to, confirm whether they have been stripped of their nationality, the true number of victims of **arbitrary** deprivation of nationality is likely significantly higher than the 452 court-ordered cases documented.¹³³

2. Prohibition of entry

2.1. Background

The Nicaraguan regime first started using prohibition to enter the country as a tool of punishment and silencing of perceived opposition in 2018, with efforts intensifying significantly since the mass expulsion which took place in February 2023.¹³⁴

¹³² Group of Human Rights Experts on Nicaragua, 2025.

¹³³ Ibid.

¹³⁴ Ibid.

This tool has been **used against** nationals who reside in Nicaragua, nationals who were attempting to re-enter the country after short durations abroad, as well as against nationals who are permanently residing abroad, but who still maintain close ties to Nicaragua and periodically attempt to return.¹³⁵

The mechanism by which entry bans are administered reflects the broader architecture of the regime's transnational repression. **The Directorate General for Migration and Alien Affairs** maintains **an internal registry** containing the names and profiles of persons considered potential threats to the Government, compiled through the surveillance and intelligence structure that experts have extensively documented.¹³⁶

Entry bans are decided by the Deputy Minister of the Interior, who simultaneously serves as the national administrative secretary of **the Sandinista National Liberation Front (FSLN)**, **in consultation with Co-President Rosario Murillo**. The Directorate General for Migration and Alien Affairs then communicates these decisions to airlines and bus companies, which are required to submit passenger lists to the Directorate in advance of travel.¹³⁷

The manner in which victims are notified of their entry ban is deliberately designed to deny them any effective way to challenge it. Victims attempting to return to Nicaragua have been informed by airlines or bus companies that they were banned from entry and instructed to contact authorities for clarification.¹³⁸ This occurred either in the days preceding their departure, via email, telephone call, or messaging platforms, or directly at the airport or the border when travelling by land. Nicaraguans travelling by land in their own vehicles have also been prohibited from entering the country by border officials, particularly at the Peñas Blancas land border with Costa Rica, while others were turned back upon arrival at the Augusto C. Sandino International Airport in Managua.¹³⁹

¹³⁵ Group of Human Rights Experts on Nicaragua, 2025.

¹³⁶ Confidential, 2025.

¹³⁷ Group of Human Rights Experts on Nicaragua, 2025.

¹³⁸ Havana Times, 2025.

¹³⁹ Group of Human Rights Experts on Nicaragua, 2025.

ESSENTIAL: None of the victims received official documentation recording the entry ban or the reasons for it, making it:

- practically **impossible to challenge the decision before any competent authority**;
- severely **difficult to regularize their migration status abroad**, frequently leaving them in a state of **legal limbo**.¹⁴⁰

In certain cases, the authorities demanded that victims write a letter of **repentance** addressed to the presidency, or pay sums of money reaching thousands of US dollars to border officials, as conditions for being allowed to enter Nicaragua.¹⁴¹

In an attempt to provide a look of legality to these practices, the National Assembly on 28 November 2024 reformed **the General Law on Migration and Foreigners (Law No. 761)**¹⁴² to **formally authorize the Directorate General for Migration and Alien Affairs to deny entry** to both Nicaraguan nationals and foreigners who could allegedly "**undermine sovereignty**" or pose a "social risk".¹⁴³ As both terms are entirely undefined in the legislation, the reform confers a wholly **arbitrary** discretion upon the authorities that is fundamentally incompatible with the **principle of legality** under international human rights law.¹⁴⁴

CONSEQUENCES of entry bans extend well beyond the denial of **the right to return**. Nicaraguans barred from entering their own country and who do not hold another nationality or **lawful residence** in a different State are thrust into extreme vulnerability, frequently separated from their families and cut off from their sources of income and property. Experts consider that such individuals are **de facto stateless**, as they remain outside Nicaragua without the protection of their State of nationality, and that they are accordingly entitled to the protections afforded to **stateless** persons under the

¹⁴⁰ Group of Human Rights Experts on Nicaragua, 2025.

¹⁴¹ Ibid.

¹⁴² *General Law on Migration and Foreigners (Law No. 761)*, adopted on 31 March 2011, published in *La Gaceta* No. 94, 23 May 2011.

¹⁴³ Q Costa Rica, 2024.

¹⁴⁴ Group of Human Rights Experts on Nicaragua, 2025.

Convention Relating to the Status of Stateless Persons of 1954¹⁴⁵ and the Convention on the Reduction of Statelessness of 1961.¹⁴⁶

In an attempt to provide a look of legality to these practices, the National Assembly on 28 Entry bans also frequently **precede or accompany other transnational violations**, including:

- the consular refusal to renew passports or issue copies of birth certificates, and
- the confiscation of property, assets, and pensions;

thereby forming part of the **cumulative and deliberate dismantling of the victim's life** described throughout this report.¹⁴⁷

2.2. Legal framework

Exile from one's own homeland has long been regarded as one of the gravest intrusions upon individual liberty and human dignity. Reflecting this principle, the **right of a person to return to and enter** their own country is firmly protected under multiple international human rights instruments. Both **Article 12(4) of the International Covenant on Civil and Political Rights (ICCPR)** and **Article 22(5) of the American Convention on Human Rights** provide that no individual may be arbitrarily denied the right to enter the country to which they belong. International bodies have further clarified that there are few, if any, circumstances in which such a deprivation could be considered reasonable. Entry bans imposed without any legal basis, without notification, without documentation, and without any possibility of appeal plainly fall outside the narrow margin of permissible limitations that international law contemplates.¹⁴⁸

Beyond the right to enter one's own country, the Nicaraguan regime's use of entry bans implicates a wider range of rights. These bans violate **the right to freedom of movement and residence** enshrined in **Article 12** of the **ICCPR**. They result in the **arbitrary** or unlawful

¹⁴⁵ United Nations, *Convention Relating to the Status of Stateless Persons*, 360 UNTS 117, adopted 28 September 1954, entered into force 6 June 1960.

¹⁴⁶ Group of Human Rights Experts on Nicaragua, 2025.

¹⁴⁷ Ibid.

¹⁴⁸ Ibid.

separation of families, in violation of the right to family life. They cause **particular harm to relatives who remain in Nicaragua and who depend economically** on those barred from returning, most acutely affecting children and elderly persons. In those cases where entry bans leave individuals without any nationality or residence in a third country, they also give rise to **obligations under the international statelessness framework**, as noted above.¹⁴⁹

2.3. Cases of prohibition to enter the country

Experts have **documented 318 cases** of Nicaraguans denied entry into their own country **between June 2018 and August 2025**. Experts also acknowledge that this figure almost certainly represents **only a fraction of the actual number of cases**, as many victims refrain from reporting out of fear of reprisals against themselves or against family members who remain in Nicaragua. Others choose to maintain a low profile in the hope that, after some time, they may be allowed to return.¹⁵⁰

The **profile of victims** is consistent with the broader pattern of targeting identified. Many of those denied entry are relatives of persons who were previously expelled or denationalized, underscoring the regime's deliberate use of prohibition to enter as a form of collective punishment against entire families. Members of the Catholic Church and other Christian denominations have also been disproportionately targeted, as have journalists and media professionals, the majority of whom had already been subjected to threats, surveillance, and other violations prior to being barred.¹⁵¹

3. Refusal to issue academic titles and records, and revocation of professional titles

Acting on direct instructions from **the National Council of Universities**, university authorities have denied hundreds of students, who are deemed opponents of the Regime, access to their academic titles and records. In a number of cases, institutions went further, revoking or deleting existing academic records rather than merely withholding new ones.

¹⁴⁹ Group of Human Rights Experts on Nicaragua, 2025.

¹⁵⁰ Ibid.

¹⁵¹ Confidencial, 2025.

Students and professionals have additionally been prevented from authenticating their degrees abroad, a process critical for recognition in host countries.¹⁵² In one documented instance, police officers physically confiscated and destroyed a departing student's official documents, including their high school diploma and university records, as they left the country.¹⁵³

These measures extend beyond higher education. Primary and secondary institutions operating under the authority of **the Ministry of Education** have similarly refused to issue study certificates to children who have been prohibited from re-entering Nicaragua. In each of these cases, no effective **remedy** has been made available to those affected, and the **cumulative** impact has been a severe impediment to their ability to continue their education abroad.¹⁵⁴

The Regime has applied the same logic of professional erasure to qualified practitioners. On 11 May 2023, **the National Council for Administration and Judicial Careers** of the Supreme Court of Justice permanently suspended 25 lawyers who had been deprived of their nationality in February 2023, revoking their authorisation to practise law and act as notaries public. The Council invoked **Law No. 1145**, alleging that the targeted individuals had engaged in acts undermining the independence and sovereignty of the State, incited violence, promoted terrorism, and sought to destabilise the national economy.¹⁵⁵

NOTEWORTHY: One of the affected lawyers attempted to challenge the decision by filing, but the civil chamber of the Managua Court of Appeal declared the action inadmissible on the grounds that she was no longer a Nicaraguan national. None of the lawyers were afforded the opportunity to defend themselves against the revocation or to appeal the outcome.¹⁵⁶

4. Confiscation of property and economic dispossession

¹⁵² Divergentes, 2026.

¹⁵³ Group of Human Rights Experts on Nicaragua, 2025.

¹⁵⁴ Ibid.

¹⁵⁵ Ibid.

¹⁵⁶ Ibid.

4.1. Physical property

The Nicaraguan State has undertaken the systematic confiscation of property and other assets belonging to persons exiled as real or perceived opponents of the Regime.¹⁵⁷ This constitutes a pattern of deprivation of property in **direct violation of Article 17 of the Universal Declaration of Human Rights** and **Article 21 of the American Convention on Human Rights**.

For the 452 persons formally deprived of their nationality, court orders additionally imposed the confiscation of all their real estate and assets. These measures were issued through proceedings that were unfair. Victims were denied any right of appeal, and in several cases had not even been notified that legal proceedings had been initiated against them. The confiscations were operationally led by **the Attorney General's Office**, with the active support of **the National Police**. Confiscated properties have subsequently been **allocated to State institutions or, in some cases, transferred to private individuals** with links to **the Sandinista National Liberation Front (FSLN)**. This reallocation was **formalised through the Physical Cadastre of the Nicaraguan Institute of Territorial Studies**.¹⁵⁸

Where confiscated properties remained occupied, relatives still residing in them were evicted. In other cases, existing tenants were offered the option of formalising their tenancy arrangement directly with the State. The identification of properties subject to confiscation is coordinated by the Attorney General's Office under the direct instruction of Co-President Murillo. While the full methodology remains unclear, experts have established that one approach involved State officials conducting house-to-house visits under false pretences.¹⁵⁹

NOTEWORTHY: Victims were typically informed of the confiscations not through official notification, but by neighbours or relatives, or indirectly when they were denied access to the Real Estate and Commercial Property Registry, or when police simply seized the

¹⁵⁷ United States Department of State, 2024.

¹⁵⁸ Group of Human Rights Experts on Nicaragua, 2025.

¹⁵⁹ Ibid.

property. No avenue of appeal was made available, and no compensation was offered.¹⁶⁰ against the revocation or to appeal the outcome.¹⁶¹

4.2. Pensions

The economic dispossession of exiled Nicaraguans has also encompassed the confiscation of pensions and accumulated social security contributions. In the case of the 452 individuals deprived of their nationality, this was ordered by **the executive president of the Nicaraguan Social Security Institute (INSS)**. Experts have further documented additional cases in which older exiled Nicaraguans had their pensions seized, at times justified on the basis that no proof of life had been provided — typically via video call. In the documented cases, however, the INSS itself failed to initiate the required calls.¹⁶²

These measures constitute **serious violations of the rights to social security and non-discrimination**, and have **disproportionately affected the most vulnerable**, including older persons and children who depend on this fixed income to meet their basic needs. Many victims have consequently been driven into poverty and forced to rely on solidarity networks for support. Beyond the material harm, these confiscations **serve a clear political function**: they act as a powerful deterrent to dissent, while simultaneously enabling the State to consolidate its economic power and directly profit from the persecution of its own citizens.¹⁶³

5. Surveillance

The measures described above have been made possible by a wide and sophisticated surveillance and intelligence network that encompasses both governmental institutions and the FSLN, and that operates under the direct authority of the Co-Presidents. This network is used to **monitor the physical and online activities of the population**, with the

¹⁶⁰ Group of Human Rights Experts on Nicaragua, 2025.

¹⁶¹ Ibid.

¹⁶² Ibid.

¹⁶³ Ibid.

specific purpose of **identifying and locating individuals deemed opponents of the Regime**.¹⁶⁴

Experts have confirmed that this **surveillance extends beyond Nicaragua's borders**, enabling the State and its affiliates to harass, discredit and threaten exiled Nicaraguans wherever they reside. This transnational surveillance is orchestrated **through a multi-layered intelligence architecture** involving the military, the national police, the foreign service, and non-State actors, and is **coordinated by the Defence Intelligence Directorate of the Nicaraguan Army**, which is tasked with uncovering perceived threats to the government.¹⁶⁵

Targets are typically **identified through the monitoring of social media and other public activity**, or **through their association with groups known to oppose the Regime**. Once sufficiently profiled, individuals may be subjected to physical surveillance by undercover officials and informants, or to digital surveillance through spyware and hacking operations.¹⁶⁶

EFFECTS on those targeted are profound. The pervasive fear of retaliation leads to **widespread self-censorship**, particularly online, with many Nicaraguans abandoning social media platforms or sanitising their content. Numerous individuals have been compelled to **change residences repeatedly, live in isolation**, or even **relocate to different host countries**. Even in exile, many Nicaraguans live under the constant fear of being monitored, tracked and harmed.¹⁶⁷

6. Physical violence

Exiled Nicaraguans face an increasingly serious risk of physical violence, most acutely in Costa Rica and Honduras. Experts have already **documented a number of murders and attempted murders in exile**, including the killing of vocal Regime critic and former

¹⁶⁴ Group of Human Rights Experts on Nicaragua, 2025.

¹⁶⁵ Ibid.

¹⁶⁶ Ibid.

¹⁶⁷ Ibid.

Nicaraguan Army Major Roberto Samcam in San José. While there is not yet sufficient evidence to establish a broader and systematic pattern of transnational targeted killings, the organised nature of certain cases raises this as a credible and urgent concern.¹⁶⁸

These developments underscore the need for strengthened international cooperation, more robust protection mechanisms for exiled populations, and comprehensive investigations into the transnational dimensions of the threats they face.¹⁶⁹

7. Abuse of international cooperation mechanisms

In furtherance of its objective to restrict the rights and freedoms of exiled Nicaraguans, the Regime has systematically abused international cooperation mechanisms. Authorities have filed false reports indicating that the passports of targeted individuals have been stolen or revoked, **exploiting INTERPOL's Stolen and Lost Travel Documents (SLTD) database** to cause those individuals to be stopped by immigration authorities in third countries. For those unable to produce alternative documentation or who encountered less sympathetic officials, this has led to interrogation and, in some cases, the prevention of travel. In a number of instances, individuals narrowly avoided being returned to Nicaragua.¹⁷⁰

ESSENTIAL: The Regime has similarly abused **INTERPOL's Red Notice system**, channelling these through the INTERPOL National Central Bureau in Managua, which operates under the direct command of Co-President Ortega. Additionally, the Regime has instrumentalised international **Anti-Money Laundering and Combating the Financing of Terrorism (AML/CFT) frameworks** to target exiled Nicaraguans — either to publicly tarnish their reputations or to prevent them from opening and maintaining bank accounts, thereby compounding their economic marginalisation.¹⁷¹

¹⁶⁸ Group of Human Rights Experts on Nicaragua, 2025.

¹⁶⁹ Ibid.

¹⁷⁰ Ibid.

¹⁷¹ Ibid.

8. Proxy punishment of relatives and associates

The Regime's repression does not remain confined to the exiled individual themselves. Family members, including minor children, partners and former partners, as well as friends and acquaintances remaining in Nicaragua have been subjected to surveillance, harassment, threats, **arbitrary** detention, confiscation of property and other assets, and prohibitions on leaving the country, solely by virtue of their association with a perceived opponent. These measures frequently began or intensified following public statements or activities by the exiled individual that were deemed critical of the Government, serving both as punishment for past conduct and as a means of pressuring exiles into silence¹⁷²

Arbitrary arrests of relatives have been widely documented, encompassing spouses, children, in-laws and, in one recorded case, an 81-year-old man. Authorities have routinely withheld information regarding the fate and whereabouts of those detained. In one particularly stark case, the spouse, daughter and son-in-law of an opponent were arrested simultaneously, subsequently sentenced to several years imprisonment on charges of conspiring to **undermine** national integrity and spreading false information, before being expelled from the country and stripped of their nationality in February 2023.¹⁷³

The **confiscation of property** has been applied with equal breadth to family members. In March 2023, personnel from the Attorney General's Office, accompanied by police officers, seized the home of the children of an exiled Nicaraguan without presenting any legal warrant, refusing to permit residents to remove personal belongings before vacating. In a further case, authorities extended the seizure beyond a dissident's own apartment to other units within the same building.¹⁷⁴

The Regime has also unlawfully **altered the civil records** of relatives. Birth certificates of minor children of exiled opponents have been modified to remove the surname of the dissident parent, directly **impairing the child's ability to establish filiation** and **violating the right to preserve one's identity, name and family relations** under **Article 8 of the**

¹⁷² Group of Human Rights Experts on Nicaragua, 2025.

¹⁷³ Ibid.

¹⁷⁴ Ibid.

Convention on the Rights of the Child (CRC). The Directorate General for Migration and Alien Affairs has further systematically **obstructed the issuance of passports and travel authorisations** for relatives, including minors, preventing family reunification and inflicting severe harm on the mental and emotional wellbeing of children. In one documented instance, a remaining parent concluded they had no alternative but to formally request the termination of the exiled parent's parental rights simply to allow their child to leave the country legally.¹⁷⁵

ESSENTIAL: Taken together, these measures have compelled many exiled Nicaraguans to curtail their public profiles, practise self-censorship, and distance themselves from family members, in some cases denying familial ties entirely, in an effort to shield their loved ones from reprisal. Many have partially or entirely ceased communication with relatives in Nicaragua out of fear of interception, fracturing family relationships and inflicting profound psychological harm on all involved. In targeting opponents' most vulnerable loved ones, the State has made clear its willingness to deploy any available means to suppress dissent.¹⁷⁶

Conclusions

- **Situation in Nicaragua is one of the most serious and evolving contemporary challenges to the protection of human rights.** Co-presidents Daniel Ortega and Rosario Murillo are enacting a strategy of oppression that is no longer confined to national territory, but has become a cross-border phenomenon that threatens the very foundation of the international human rights system.
- **International community faces the difficult challenge of responding to a State that simultaneously abuses international cooperation mechanisms and withdraws from the institutions designed to uphold human rights.** The misuse of INTERPOL red notices, the circulation of false travel alerts, and the manipulation of anti-money-laundering frameworks reveal how international tools can be

¹⁷⁵ Group of Human Rights Experts on Nicaragua, 2025.

¹⁷⁶ Ibid.

weaponised for political persecution. Nicaragua's unprecedented withdrawal from several United Nations agencies and the Human Rights Council further reflects a calculated strategy to evade scrutiny and accountability while continuing to perpetrate serious violations, some of which may, *prima facie*, constitute crimes against humanity.

- **Protecting the rights of Nicaraguans in exile cannot be achieved through isolated national measures alone.** A robust and coordinated international response is essential, including fair and expedited asylum and naturalisation procedures, protection equivalent to that afforded to stateless persons, and the strengthening of monitoring and accountability mechanisms. Holding perpetrators accountable under international law remains central to ending impunity and deterring further violations.

Points a resolution should address

Delegates should consider the following key issues:

- How can the international community best protect Nicaraguans who have been arbitrarily deprived of their nationality and rendered effectively stateless?
- What safeguards should be put in place to prevent the misuse of international mechanisms such as INTERPOL red notices and AML/CFT frameworks for political persecution?
- How can states ensure fair, expedited asylum and naturalisation pathways for effected Nicaraguans?
- What measures can address "violations by association," whereby relatives remaining in Nicaragua are targeted to pressure exiled opponents?

Additional preparation materials

VIDEO RESOURCES:

- USCIRF Commissioner's Analysis of the Political Situation in Nicaragua. EWTN News In Depth. YouTube video. <https://youtu.be/qWkqzjOpyA0>.
- "Nicaragua, the Forgotten Dictatorship." FRANCE 24 English. YouTube video, January 30, 2026. <https://youtu.be/fXnsCv81r2Y>.
- "Nicaragua's Sandinista Revolution: How Daniel Ortega Turned From Liberator to Tyrant." DW History and Culture. YouTube video, February 1, 2026. <https://youtu.be/qzlyjU-NmLI>.

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