Resolution on Nicaragua

2009/2777(RSP) - 26/11/2009 - Text adopted by Parliament, single reading

The European Parliament adopted a resolution on Nicuaragua.

The resolution had been tabled by the EPP, ALDE and ECR groups.

Parliament deplores the numerous attacks and acts of harassment to which human rights organisations and their members and independent journalists have been subjected by individuals, political forces and bodies linked to the State.

Members call on President Ortega to respect the Nicaraguan Constitution, which prohibits Presidents from serving for two successive terms in office. They point out that only the legislature may pronounce on constitutional reform and that there are no circumstances under which the courts may do so. The party in government, the Sandinista National Liberation Front (FSLN) does not have the necessary two-thirds majority. However, on 19 October 2009 the Nicaraguan Supreme Court of Justice met during the night, in the absence of three of the six member judges, who were not invited and who were replaced by three pro-government judges, and unanimously declared Article 147 of the Constitution unenforceable. Parliament condemns amendments to the Constitution which infringe the Nicaraguan constitutional order, in particular the legally questionable tactics used by the Nicaraguan Government involving pro-government judges in the Supreme Court of Justice.

It considers that President Ortega's attitude reflects his scant understanding of and respect for democracy, the rule of law and the exercise of basic fundamental rights, such as freedom of expression and political association. Members supports all those in Nicaragua who are against the violation of the constitutional order perpetrated by the Government authorities, and calls for that order to be re-established without delay and for the judicial declaration of 19 October 2009 to be annulled.

With regard to the municipal elections of 9 November 2009, Parliament deplores the conduct of those elections, with manoeuvring on the part of the Nicaraguan Government to disqualify opposition political parties, numerous polling irregularities, allegations of electoral fraud and a refusal to accredit independent election observers, whether foreign or local. They call on the Commission to send an EU election observation mission to monitor the forthcoming presidential elections. The resolution equally deplores the fact that the Organisation of American States, which is normally so diligent in dealing with other problematic issues, did not see fit to comment on such a clear violation of the constitutional order of one of its member countries.

Parliament points out that, during the negotiations on the Association Agreement between the EU and the countries of Central America, Nicaragua must be reminded of the need to respect the principles of the rule of law, democracy and human rights, as upheld and promoted by the EU. The resolution also states that the European Union should exercise greater control over the use of funds given to Nicaragua for development projects in order to ensure that none of the money falls into Sandinista hands.

Lastly, it notes that during a visit to Nicaragua, a delegation from the group Liberal International was threatened and insulted, and its president, Johannes Cornelis van Baalen MEP, was even threatened with expulsion from Nicaragua and declared persona non grata by the Sandinista authorities. Parliament condemns and deplores the threats, insults and intimidation to which the delegation was subjected, and expresses its solidarity with the members of that delegation.