

DISMISSING THE TRUTH

Why Amnesty International is wrong
about Nicaragua

An evaluation of and response to
Amnesty International's report of
October 2018



alliance for global justice



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An evaluation and response to the Amnesty International report ‘Instilling Terror: from lethal force to persecution in Nicaragua’

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NSCAG has worked with trade unions both in the UK and in Nicaragua since the time of the Revolution in 1979. Our work focuses on fostering and maintaining links of support and solidarity between trade unions in Nicaragua and the UK in order to share knowledge and experience, enhance mutual understanding and promote social and economic justice.

Acknowledgements

The report has been prepared by a collective of Nicaraguans and internationalists based in Nicaragua the USA and the UK.

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Contents

Foreword	3
Introduction	5
1. The context: The truth about events in Nicaragua in 2018	6
2. Action by the Nicaraguan government: legitimate or not?	14
3. Amnesty's 'timeline of key events'	19
4. Amnesty's claims of a 'strategy of repression'	21
5. How Amnesty could have examined events – a case study	40
6. Conclusions	44
Glossary of acronyms	47
Annex 1: Response from IML to cases raised by Amnesty International	48
Annex 2: End-of-year (translated) message from the official Truth Commission (CVJP)	50

Foreword

By Camilo Mejia, former Amnesty International Prisoner of Conscience

'In war, truth is the first casualty.' (Aeschylus)

The above quote, attributed to the ancient Greek tragedian Aeschylus, is timely and relevant to the Nicaraguan crisis more than 2500 years after its writing, not only because what has been happening in Nicaragua since April of last year is nothing shy of a war – military, economic, psychological, cultural, political – but also because the truth about the crisis, with the full support of Amnesty International, was indeed the first casualty.

Throughout this critique of Amnesty International's coverage and reporting of the crisis in Nicaragua, readers will find how public opinion has been manipulated in order to present a highly biased, anti-government account of the violent events that befell the Central American nation between April and September of 2018. For starters, the first three people who died were a Sandinista, a police officer, and an innocent bystander returning home from work, and their deaths were not only violent, they marked the beginning of a pattern of death and destruction carried out by the opposition that was completely ignored by AI's two reports: *Shoot to Kill* and *Instilling Terror*.

Equally damaging to AI's omission of the killing of Sandinistas, and anyone standing up to the opposition, is its insistence in portraying the anti-government protesters as peaceful, despite overwhelming photographic and video evidence to the contrary. Along with the misleading portrayal of protesters as unarmed and peaceful, Amnesty also insists on painting the different actions by the opposition as legitimate civic acts of protest, when in reality they were marred by violence and death, as is obvious from the evidence throughout the report which follows.

Some of the notable cases overlooked by AI include the kidnapping and attempted murder of student union leader Leonel Morales, who supported the initial marchers on behalf of his union but was nearly killed by the opposition after the government called for a national dialogue, prompting Morales to call off the protests. Another case was that of Sander Bonilla, a member of the Sandinista Youth whose kidnapping and torture, overseen by both Catholic and Evangelical priests, were captured on video. There are many other cases, presented here, of victims of the opposition that were either omitted or manipulated by Amnesty International in its two official reports.

Perhaps the most important benefit that this response provides its readers is the encouragement to verify much of the information countering AI's claims. This response does not address the entirety of AI's reports (and focuses on the second one), but it provides sufficient information for readers to gain access to enough facts to discover a much wider picture of the crisis, and that in itself is a huge achievement.

While it is of vital importance that people become aware of the reality that we can no longer trust prestigious human rights organizations to tell us what is happening in the world, the real triumph of this critique would be for readers to go beyond both the crisis in Nicaragua and the destabilizing role Amnesty has played in it, because the truth is not a casualty only in Nicaragua, but everywhere else

as well. And the real tragedy is not that we may no longer trust AI or others to tell us the truth, but that we have ceded our own agency, our own ability to question dominant narratives, and have chosen instead to blindly trust what powerful entities tell us.

As I write this foreword the United States' war drums beat on Venezuela, where Amnesty International has also played a very destabilizing role. And that is how the story goes: the United States chooses a government for regime change, calls upon its grantees – media outlets of global reach, human rights organizations, diplomatic entities, other powerful nations – to vilify the chosen government; before we know, and without ever taking the time to vet the information, we fall prey to the media spell and begin to provide our consent for intervention.

Lives matter! All lives! – including the lives of those whose deaths were omitted by Amnesty International in its two reports on Nicaragua. The lives of those the anti-government opposition robbed, kidnapped, tortured, raped, killed, and even burned in public view, matter. So why not view this critique of a highly reputable human rights organization as an invitation to question the dominant narratives that herald invasions and occupations? We must reclaim our ability, our moral duty, to search for the truth, to find it and uphold it, to protect it, and to hold everyone accountable to it, starting with ourselves.

This report, *Dismissing the Truth*, provides a way for readers to do precisely that: find the truth on their own.

Miami, Florida, February 2019

Introduction

During 2018 Amnesty International published two reports on the crisis in Nicaragua. The first, [Shoot to kill: Nicaragua's strategy to repress protest](#), was published in May. It was regarded as being highly partial and unbalanced by many of those who read it, including people in Nicaragua itself. It attracted strong criticism from a former Amnesty International 'prisoner of conscience', Camilo Mejia, a Nicaraguan resident of the United States who was imprisoned for refusing to serve in the Iraq war. Mejia wrote an [open letter to Amnesty International](#) and received only a perfunctory reply.

The latest Amnesty International report on Nicaragua, [Instilling Terror](#), is similarly unbalanced and fails completely to explain the context for or causes of the recent violence in Nicaragua. It argues that the Nicaraguan government, in response to protests that began in April, has instigated '**a strategy of indiscriminate repression with intent to kill not only in order to completely smash the protests, but also to punish those who participated in them.**' This report challenges this conclusion.

The report has been prepared by a group of people with experience of Nicaragua, in many cases living in or with detailed knowledge of the places where different events occurred. The methodology has been to research the background of incidents which AI describes and wherever possible to collect and summarise the opinions of ordinary Nicaraguans who witnessed the events. Unfortunately, several of the case studies in the AI report carry no names, and their veracity cannot be checked. This report concentrates on places and incidents cited by AI where the authors have been able to collect or provide evidence, and therefore does not look exhaustively at all the cases which AI uses. However, we believe that its coverage is more than sufficient to expose the weaknesses in AI's approach.

The aim is not to exonerate the Nicaraguan government from blame for any deaths but to show that AI completely fails to provide a balanced assessment of events, and in doing so ignores the interests of the large number of Nicaraguans who want the country to return to the state of peace and security which it enjoyed before the protests began.

To correct AI's imbalance, the report's focus is on the actions of the opposition. It begins by setting the context of events in 2018. The second chapter addresses the question of the legitimacy of the Nicaraguan government's actions. The third chapter critically examines AI's 'timeline' of events. The longest, fourth chapter examines in detail many of the incidents covered by AI. Chapter five presents a case study in one region of Nicaragua of an alternative approach to analysing events that AI might usefully have adopted. The final chapter offers brief conclusions.

This report is not published on behalf of, nor is it endorsed by, the Nicaraguan government. Specific help was sought from government sources for certain aspects, as is made clear in the text, but government representatives have not been asked to comment on the report nor have they done so.

Our assessment is intended to link explicitly to the material in the latest AI report and is not, therefore, a comprehensive analysis of events between April and September. Quotations are referenced by including the relevant page numbers of the AI report. A glossary of the many acronyms that have been used can be found at the end of the report.

1 The context: The truth about events in Nicaragua in 2018

In its two reports, Amnesty International paints a picture of the events in Nicaragua during the five months from mid-April to mid-September which is unrecognisable to most Nicaraguans. This initial chapter of our response aims to correct the balance and set the context for the rest of our report.

The real picture of Nicaragua during the period of opposition violence

According to AI, largely peaceful protest about a specific issue – social security reform – provoked a gross over-reaction by the government, in which it used massive force against protesters who were law-abiding or had very limited weaponry, which they used solely in defence. In this it follows the practice set by the local ‘human rights’ organisations and echoes the words of bodies such as the Inter-American Commission on Human Rights (IACHR), which said that armed protesters only had ‘homemade mortars filled with gunpowder’.

The reality was very different. The AI report completely ignores the experiences of millions of Nicaraguans who suffered hugely as a result of the violence over that period. It claims to document ‘human rights violations’ but includes only those which it attributes to the government side, ignoring violations carried out by the opposition. At its worst, these involved opposition supporters engaging in kidnappings, torture and murder of ordinary people who happened to be Sandinista supporters or government workers, in addition to the killings of and injuries to the police.

Here are just a few examples taken only from days in mid-June that are supposedly covered by the second AI report, but which receive no mention at all:

- On June 13, an opposition group held captive and brutally tortured Leonel Morales, leader of the National Union of Students of Nicaragua and member of the national dialogue. They left him for dead in a ditch but he was [rescued](#) and survived after lengthy medical treatment.
- On June 15, Sandinista lawyer and activist Marlon Medina Tobal was [shot dead](#) while walking beside a roadblock in the city of León.
- On June 18, a burning wheel was thrown inside the Managua home of Rosa Argentina Solís, a 60-year-old communal leader. The same day, the house of the mother of Sandinista MP José Ramón Sarria Morales was the subject of arson in León. Then nine members of his family were [held captive and tortured](#).
- On June 18, Sandinista activist Yosep Joel Mendoza Sequeira, a resident of Simón Bolívar neighbourhood in Matagalpa, was [held captive and savagely tortured](#). The same day, a video was relayed via social media, where a young woman accused of sympathy with the government is [humiliated and treated brutally](#) during an interrogation.
- On June 21, after being held by men manning roadblocks in Zaragoza and Subtiaba, León, young Sandinista youth activist Sander Bonilla was [tortured](#) under the impassive gaze of a priest.
- On June 22, an anti-Sandinista group fired at the house of the teacher Mayra Garmendia in Jinotega and [burned the building](#) where her family was, who managed to escape.

The violence and defiance of authority resulted in several cities effectively being closed down for many weeks or in some cases months by opposition roadblocks. Furthermore, no one could travel on the main highways; buses, taxis and other forms of transport were largely paralysed and people's freedom of movement was completely denied. The physical and economic damage and the disruption to normal life were immense. None of this is reflected in AI's assessment.

How the initial protests were manipulated to provoke violence

AI says (p.3) that the protests began on April 18 in opposition to a series of reforms to the social security system. Superficially this is correct, but it ignores the fact that students leading the protests were very quickly joined by those with a much wider agenda than the social security reforms, as was evident because:

- when the reforms were quickly withdrawn, the protests continued
- as soon as the government agreed to a 'national dialogue' with the opposition groups, their call was for the constitutionally elected government to resign immediately and this quickly became their main demand, ignoring social security issues.

AI acknowledges that protesters '**called for the resignation of the government**' (p.8) but depicts this as a secondary aim when in fact it was primary.

Demands for regime change were fuelled by an enormous social media campaign which began well before April 18, but intensified with the student protests, blaming the government for dozens of student deaths and disappearances which had not even occurred. False messages were sent from university buildings calling for help for students who were supposedly under fire. Paid advertisements appeared on Facebook denouncing government violence. In this [video](#) people give testimony of false reporting of the deaths or disappearances of sons and daughters, used to inflame public opinion.

Mainstream media such as [La Prensa](#) began to use the words 'student massacre' to describe these events, prompted by local 'human rights' organisations such as CENIDH. In [this video](#) a student, Veronica Gutiérrez, who is in hiding and initially supported the protests, explains how she quickly changed her mind as the protests became violent and began to demand regime change. Nils McCune, who lives in Nicaragua, [has explained in detail](#) how in late April the protests quickly developed into a violent attempt to overthrow the government.

The reality of the roadblocks

A constant theme of the AI report is that people were legitimately '**exercising their right to freedom of expression**' (p.48) and that roadblocks were set up as a '**sign of protest, to defend themselves from attacks on the civilian population and to exert pressure on the authorities by restricting road traffic**' (p.3). They also served as '**protection from attacks by the National Police and pro-government armed groups**' (p.8). AI quotes reports (p.8) that up to 125 roadblocks were erected across the country and about 20 of these blocked roads completely.

This is a very incomplete and misleading aspect of the report. AI fails to explain that the 125 roadblocks to which they refer were solely those on the main transport routes, and were aimed mainly at preventing traffic movement between cities, including the movement of ambulances,

police vehicles, trucks delivering food, etc. In places one ‘roadblock’ consisted of several barriers (e.g. four at crossings of two main roads). In addition to the huge effects nationally and locally, this heavily affected international transport: for example, over 400 trucks and their drivers were held hostage on the main north-south highway through Nicaragua (in Jinotepe) for many weeks, despite mediation attempts to secure their release and safe passage (see Chapter 4). The opposition were clearly organising and monitoring this system of roadblocks at national level, as shown by the map below which was published in the opposition media on June 9 and was prepared by the team run by opposition leader Francisca Ramírez.



Source: Confidencial (<https://confidencial.com.ni/87-tranques-empieza-cerco-sobre-managua/>).

There is plentiful evidence of an organisational structure. For example, we have spoken to a businessman prevented from travelling into the city of Estelí, who tried to talk with one of the many masked men at the main roadblock, where what appeared to be ‘hundreds’ of trucks and buses full of people were being held up. The man pointed an AK-47 at him with the words, ‘Orders from above, nobody gets through in either direction.’ Such responses were commonplace.

Within cities there were many more roadblocks – the police have said as many as 1,300. In the Masaya department alone there were around 600, although the number there was exceptional. These city roadblocks also prevented most traffic movement for many weeks, apart from motor cycles and people on foot. Between the roadblocks on the main roads and those in cities, the country was paralysed and economic activity largely brought to a halt.

The official truth commission (CVJP) calculated that at least 150 deaths occurred at these roadblocks, the vast majority murders by armed members of the opposition. Chapter 5 analyses in detail the deaths that occurred at those roadblocks erected in central Nicaragua.

The box overleaf explains how the roadblocks (or ‘tranques’) worked.

Explaining the roadblocks (or ‘tranques’)

Roadblocks were built across all the main roads in Nicaragua and obstructed the smaller streets in many cities. On the main roads, they might be several hundred metres or even many kilometres apart. In urban areas, there might be 2-3 barriers in a single block (‘cuadra’). In physical terms the roadblocks were of two types: urban ones, many built of paving stones (‘adoquines’) to shoulder height or higher, and main road ones, built of a range of materials (e.g. roadside trees, metal sheets), often to head height. Either kind might also have a ditch, dug across the road on one side, as a further barrier. The purpose of the roadblocks in towns was mainly defensive/offensive – defending an area, preventing entry by police and providing a rallying point for attacks. On the main roads, the main purpose was to prevent traffic from passing or possibly to allow it after extorting payments. In most cases, a physical gap allowed the passage of people and motor cycles, where permitted, but not larger vehicles.

Urban roadblocks were managed by a mixture of local people and outsiders – the latter often either brought in to lead the operation or to behave more aggressively to drivers and passers-by. There appeared to be a deliberate strategy of transferring roadblock operators between cities. In some cities, known ‘delinquents’ were recruited from local towns and villages and brought in each evening at nightfall: ‘wages’ were reported to be C\$500 per night in one city (roughly double the typical pay of a farm worker, for example).

Main road barriers also required sophisticated organisation. Both types were linked to wider opposition activity in the area, including violent attacks on the police. In many cases, the patrols at roadblocks would be strengthened at night time. In the many places where there was a proper network ‘running’ the roadblocks, as in Masaya, Jinotepe, etc., there were also people specifically responsible for organising supplies. These included bringing in money, food, medical supplies, alcohol or drugs, arms and munitions. Where a large area was contained by roadblocks (e.g. Monimbó, Masaya), there were separate medical facilities, an HQ for those running the roadblocks, etc., often in a house or the local Catholic church.

The roadblocks created ‘no-go areas’ in cities, with no entry for police or government agencies, and therefore no law enforcement. Roadblocks provided a means of controlling the resident population, who were subject to checking of documentation, threats and – in many cases – robbery, violence or even kidnapping, rape, torture and death when local people attempted to pass through roadblocks. On occasion, gangs based at roadblocks threatened householders at night time or ransacked or set fire to their homes.

One powerful purpose and result of the ‘tranques’ was clearly to frighten and intimidate the population generally (as noted by the Truth Commission – see Annex 2). The fact that people across the country were receiving videos of the torture and public humiliation of Sandinistas (often labelled as ‘sapos’ or ‘toads’ in social media) contributed to the terrorizing impact of the roadblocks.

Use of weapons

AI admits that **‘the use of homemade mortars as a means of defence was common’** (p.3). It goes on to say:

‘In most of the attacks and clashes of which Amnesty International is aware, demonstrators on roadblocks generally used homemade mortars and Molotov cocktails against the National Police and its pro-government armed groups. In some cases, the organization received information that firearms were also used by a minority of demonstrators in a number of locations... . However, the information received suggests that these weapons were generally personal (registered) hunting weapons with limited ammunition. In general, the use of weapons by the protesters was limited in terms of quantity, calibre and available ammunition.’

This is misleading on three counts. First, it implies that ‘homemade’ weapons were relatively harmless, whereas they are capable of and did injure, disable and even kill people targeted from the roadblocks. This is apparent from reports by local ‘human rights’ group ANPDH, whose material is often cited by the IACHR, AI and local and international media. In [their report of June 25](#), ANPDH cite mortars as the cause of death in two cases:

- The first is the death of Julia Amada López Cruz on June 11 (ANPDH case #167).
- The second is that of José David Oviedo (case #149), although there were [reports](#) that Oviedo was killed by rifle fire.

In addition, of course, mortars and other improvised weapons caused probably hundreds of injuries, often serious, including injuries to the opposition fighters themselves (for example, when there were battles between rival ‘tranques’).

Second, the use of the term ‘homemade’ suggests literally that these were made in people’s backyards. However, it is obvious from the sheer volume of mortars and other makeshift weapons in use at roadblocks, the speed with which large quantities became available from April 19 in many cities, that their production and the supply of gunpowder was on an industrial scale (see photo on next page).

Third, AI reports totally inaccurately that the use of more serious weapons was **‘limited’** (p.17, footnote). In fact, they were widespread, albeit not as common as makeshift ones. The existence of serious weapons is obvious from the fact that 22 police officers were killed and 401 injured by bullets up to the end of September, quite apart from deaths and injuries to civilians. The detailed case studies in our report give plentiful examples.



'Homemade' mortars recovered from the UNAN.

Wider damage

In addition to the violence against the public, the roadblocks and the 'no go' areas they created were the base for huge destructive attacks against public buildings, businesses and private homes. Some 252 buildings were burnt down or ransacked, including many private homes. Nearly 400 vehicles – in many cases police vehicles and ambulances – were destroyed. Some 278 heavy items of machinery were damaged or destroyed. The effects on Nicaragua's health service are described in [this video](#). The cost in damage to public sector property and vehicles alone is estimated at US\$ 231 million.



Protesters set fire to public buildings in León (here), Managua, Granada, Masaya and other cities.

In wider damage, losses to the economy were estimated at \$961 million, nearly 120,000 people lost their jobs, schools in some cities were closed for up to three months and many people suffered and some even died as a result of not being able to reach hospitals.¹ Hundreds of businesses were looted, in some cases involving the killing of security guards. Some have been unable to reopen.

Not measurable is the daily fear experienced by many people as a result of the control of the areas where they live by armed opposition groups, protected by roadblocks, with police prevented from doing their normal jobs.

'Peaceful protest' quickly became armed insurrection

The truth is that the Nicaraguan government very quickly faced an armed insurrection, which began in the universities but quickly spread to almost all major cities as access to firearms escalated out of control. Indirectly, AI acknowledges that the protesters were armed, since its previous report agreed that on the first and second days of the protests (18 and 19 April) there were (respectively) no deaths and three deaths. AI attributed the April 19 killings to **'the hands of state forces'** (p.9) when in fact one was a policeman (Hilton Rafael Manzanares Alvarado), a second was a Sandinista supporter defending an office in Tipitapa being attacked by protesters (Richard Antonio Pavón Hernández) and the third was a passer-by uninvolved in the protests (Darwin Manuel Urbina). The policeman, Hilton Manzanares, was part of a patrol of twelve confronted by 300 armed protesters near to the Universidad Politécnica (UPOLI). None of the initial victims were students, and none were killed by 'state forces'. Clearly at least two of the three were victims of opposition violence at the very start of the demonstrations.

The fact that opposition supporters had serious weapons was evident the following day (20 April), when protesters wounded 16 municipal workers and 18 police officers in Estelí during a pitched battle lasting five hours with firearms being used by opposition gunmen. That was the worst day of the protests, with 24 deaths in total, some being passers-by or victims of fires started by protesters. This was also the only day when a significant number of students died, but from the injuries to the police and others it is obvious that many of them must have been using conventional firearms.

Once the roadblocks were removed, some elements of the opposition formed armed groups in the countryside, as is evident from this [Facebook page](#). While these may not pose a serious threat to the government, they show the availability of weapons far beyond the 'limited' use indicated by AI. Other groups, now exiled in Costa Rica, [boasted about their weapons](#) and the murders they had carried out. Furthermore, the main lawyer defending the opposition groups in the courts, Julio Montenegro, has admitted that they were armed.

Nicaragua since mid-July

AI gives a completely misleading impression of the country in the period from mid-July up to the time when it compiled its report. For example, it says (p.3) that **'hundreds of people in different places throughout the country have taken to the streets every day to demonstrate'**, strongly

¹ For example, Lilliam Jaqueline Martínez Valerio tried to get to hospital in Boaco on May 15 and died when the vehicle carrying her was not allowed to pass through the roadblocks; the 25 day-old son of Gabriela María Aguirre who had a severe bronchial illness died on June 13 on the way to a health centre when his mother was not allowed to pass through roadblocks in Masatepe.

implying that these are anti-government protests when the vast majority of large (and smaller) marches were pro-government, demanding justice for the victims of opposition violence.

Since July and the removal of the remaining roadblocks, life has largely returned to normal, the streets are again safe and people can move around freely both within cities and across the country. The economy is beginning to recover from the enormous damage caused by the opposition violence, strikes and roadblocks. Tourists are beginning to return to the country and there is every prospect of full economic and social recovery during 2019.

2 Action by the Nicaraguan government: legitimate or not?

Legitimate or illegitimate protests?

Amnesty International's previous report pointed out that 'Protest and peaceful demonstration are an accepted part of the right to freedom of expression and assembly'. This is of course true. It is also true that there have been peaceful marches by the opposition at various stages. However, several protests have ended in violence against police, bystanders or those believed to be government sympathisers. AI says (p.17) that **'the fact that some groups or people use violence during a demonstration does not in itself make the whole protest violent'**. It does however mean that the police may be justified in restricting demonstrations and demanding guarantees from organisers, as happens in the UK and many other countries.

Furthermore, the erection of roadblocks and use of even makeshift weapons can in no way be described as 'protest and peaceful demonstration', especially in the case of the prolonged, armed occupation of hundreds of roadblocks which took place in May, June and early July. These roadblocks and the actions of those manning them would be unlawful anywhere in the world. Arrests have taken place for real crimes committed; the arrests are not acts of **'arbitrary detention'** as AI claims (p.37 and elsewhere).

Criminal acts under Nicaraguan law

Under Nicaraguan law there are several relevant criminal provisions which cover the crimes committed at the roadblocks. These include:

- **Article 327 of the penal code.** The roadblocks inhibited the right of 'free circulation' enshrined in the constitution, so that by installing roadblocks the opposition were not simply exercising their right to protest but were depriving other citizens of their constitutional right – and one that is of great importance to them in terms of being able to travel to work, school, hospital and so on. The penal code's article 327 specifically identifies those who 'create a dangerous situation, impede or seriously obstruct the normal functioning of transport' as being liable to between six months and two years imprisonment if found guilty.
- **Articles 243 & 244 of the penal code.** The roadblocks were built of materials ('adoquines', tree trunks, etc.) that required roads to be destroyed or trees chopped down. Doing so without permission is a crime (under law 559 in the case of damage to trees). It is estimated that [209 km of roads](#) were damaged at enormous cost to the public purse.
- **Articles 401-408 of the penal code.** Any use of weapons without permission, including makeshift weaponry, is against the law. **Article 329** penalises the illicit use of explosives. **Article 394** prohibits acts of terrorism involving attacks on people, goods, public services, etc. using explosives, fires, weapons, etc. Whereas AI describes 'homemade' weapons being used defensively, it cannot be justified as 'defence' if weapons are fired at police or officials attempting to clear the roads, or indeed if they are used to intimidate, threaten or attack ordinary people seeking to remove obstacles in the road, as frequently occurred.

Finally, of course, other more serious crimes were committed on multiple occasions, from extortion of money from passers-by up to kidnapping, torture, rape and murder. This summary only deals with those crimes which AI overlooks in its defence of the protests.

Use of terms ‘terrorists’ or ‘coup plotters’

AI claims that the government made **‘persistent efforts to criminalize opponents’** by using terms such as these (p.4). A common definition of ‘terrorist’ is ‘a person who uses unlawful violence and intimidation, especially against civilians, in the pursuit of political aims’. While of course it is true that the many protesters who simply marched in the streets were not ‘terrorists’, the use of unlawful violence and intimidation quickly became a feature of several of the marches and of many if not most of the roadblocks, where it was directed not just at police or government officials but at ordinary people who – for example – objected to being stopped or prevented from passing a roadblock. Nor was the violence or intimidation always superficial – there were multiple incidents of kidnapping, torture, rape and killings associated with the roadblocks.

AI says that **‘a significant number of detainees have been accused of terrorism’** (p.37). This is true, but it is also true that the majority if not all those so accused have been accused of other crimes too (see above).

AI suggests that use of the word ‘coup’ to describe the opposition attacks is part of a process of **‘denial and criminalization’** (p.46). But was the protest in fact an attempted ‘coup’? A common definition of ‘coup’ is ‘a sudden, violent, and illegal seizure of power from a government’. While the violence did not succeed in toppling the government, there is ample evidence that this was being attempted and, in any event, it was ‘sudden, violent, and illegal’. The very fact that the opposition’s main demand at the first session of the national dialogue was that the government leave office shows that this was its objective – not the pursuit of social security reforms or other policy changes. At the dialogue, the opposition rejected requests to dismantle the roadblocks peacefully and several of the local ‘agreements’ to do so were not complied with by protesters. A leading opposition party even circulated what was said to be [a call for a final offensive](#) on June 1, with plans to set up a ‘patriotic junta’ and a provisional government.

Demands for the government to resign have been repeated again and again, including requests made to the United States to intervene to enforce regime change. Among these are speeches by opposition spokesperson Felix Maradiaga (who has no representative status of any kind) who appeared at the UN Security Council at the invitation of the US. When all of these plans and international calls for action occur in the context of violent protests and the creation of no-go areas across the country – and even in the case of Masaya declaring that [the city no longer recognised the government](#) – they surely constitute an attempted coup.

State use of torture as a method of punishment and to fabricate evidence

Like the investigators for AI, the authors of this report have not had access to prisons. We have however been able to interview various senior officials responsible for the police, forensic and judiciary systems, who deny the use of torture.

In September, Corina Centeno Rocha, Procurator of the Legal Office for the Defence of Human Rights, gave [an interview](#) in which she set out in detail the work of her office in investigating deaths

and also in examining prison conditions. She explains the exhaustive nature of their work, which contrasts with (for example) the approach of IACHR/CIDH whose first visit to Nicaragua took only three days. She explains that they have investigated whether there is torture at the main Managua prison known as 'El Chipote': she says that they have found no evidence of use of torture. Furthermore, the investigators from IACHR/CIDH, after visiting the prison, agreed with her that they, too, had found no evidence to corroborate claims of torture. In fact, the head of the IACHR/CIDH mission, Antonia Urrejola, was [briefly interviewed as she left El Chipote](#) and confirmed that there was no evidence of torture. Nevertheless, in public IACHR/CIDH later repeated the unverified claims and made this complaint one of the main features of their published report.

In response to denial of medical attention, etc. to prisoners, the government published [a detailed report](#) on the attention received by each of the 273 arrested and detained by early November. Nicaragua Truth Commission Coordinator, Dr. Cairo Amador, has recently announced that visits to the National Penitentiary System are taking place, to ensure respect for the human rights of the individuals charged with crimes during the failed coup attempt. Amador said that 'The Commission has verified that the Nicaragua government is guaranteeing full respect for the human rights of prisoners, ensuring they receive medical attention as well as visits of relatives, spouses and friends.' The Commission's [latest report](#) confirms their visits and their findings.

AI covers in detail an alleged case of torture (of Faber López Vivas) which – as we show below in examining the circumstances of his death in Jinotepe – has no basis in fact. Most of the other cases cited by AI are anonymous and so cannot be verified independently. However, we should point out that many of the public claims of torture, such as by the student Valeska Sandoval who, well after her release from prison, claimed to have been tortured, have to be treated with extreme scepticism. She not only looked unharmed when recording her confession while still detained, but also on her release; and she had a previous record of deception e.g. her notorious play-acted video recording when 'under siege' at the roadblocks in the UNAN (university).

Total numbers killed and responsibility for deaths

By 18 September 2018 AI says that at least 322 people had been killed (**'most at the hands of state agents'**, p.5), among which 22 were police officers, with more than 2,000 people injured. AI relies for its figures on the reports of the IACHR/CIDH. As a result it completely fails to acknowledge that in addition to police officers many victims have been Sandinista supporters or bystanders.

Enrique Hendrix conducted [an independent analysis](#) of the various reports by human rights organisations on deaths resulting from the protests, at the time when the CIDH reported 212 deaths (in mid-June). He found that 35% of the reported deaths were unrelated to the protests, had insufficient information to verify them or in some cases were repeated names. Of the 139 verifiable deaths related to the protests, just 52 were demonstrators (protesters, organisers of roadblocks, etc. some killed in crossfire or disputes between roadblock operators), while 49 were murders by the opposition (of police, government workers, Sandinista supporters, etc.) and 38 were bystanders – victims of the violence but not directly involved in it. The CIDH did not separately identify the deaths that were opposition killings, thus clearly giving the impression that these, too, were victims of government violence. Indeed, family members of those wrongly identified as government victims have been protesting that their names have been used as part of anti-government propaganda. AI, intentionally or otherwise, adds force to such misleading impressions.

There have subsequently been separate reports from the official Truth Commission and from the government detailing the deaths that have occurred and their circumstances. While the IACHR/CIDH says that it has included in its list additional names provided by the government, it does not appear to have accepted any questioning of the rest of its list, including from the Enrique Hendrix analysis, despite evidence such as that above. It also appears to have accepted without question the attributions of deaths made by the local human rights groups (CENIDH, ANPDH) which are far from neutral sources as they are aligned with the opposition. AI says that the government is **'challenging the information put forward by human rights organizations'** (p.11) as a political tactic. However, if the reports of the IACHR, CENIDH and ANPDH contain inaccuracies, insufficient evidence or failures to attribute correctly the causes of death, what else is the government supposed to do?

In February 2019, the Truth Commission issued [a further report](#) in which, after exhaustive analysis of different sources of information, it confirmed the number of deaths related to the conflict as 253. These consist of 31 known supporters of the opposition, 48 probable or actual Sandinista supporters, 22 police and the remainder (152) of unknown affiliation.

In summary, AI has used as its key source of information on the deaths one which gives both an exaggerated total number (322) and fails to show that a significant proportion of the deaths were caused by the opposition, not to the opposition. It further implies that attempts to challenge this source of information are themselves invalid, ie. that the source is incontestable.

Did the government use 'excessive, disproportionate and unnecessary force'?

Within this context, AI's argument that the government used excessive, disproportionate and sometimes unnecessary force as a general strategy of repression, falls apart. It is clear that where force has been used, it was very often justified given the scale and nature of the weaponry it faced. Where there are examples of the police using excessive force, the failure to give the context gives a deliberate impression that they were completely unprovoked, whereas the police were facing a scale of violence unparalleled in Nicaragua's recent history, including cases of police being captured and publicly humiliated, tortured and executed.

In addition, AI makes no mention of the strict instruction to police which applied for several weeks in May and June, that they were not to return fire when they came under attack. This applied even in cases like Masaya and Jinotepe where police were confined to their police stations and were effectively under siege. These examples are covered in some detail in Chapter 4.

Did the government make arbitrary detentions?

AI claims that the government is detaining people arbitrarily and repeats unproven statistics from CENIDH that more than 1,900 people have been detained and 400 remain in custody but uncharged. As noted above, the government responded to such claims in early November by publishing a list of the 273 people detained for various reasons linked to the protests, saying how far the process had reached in each case, what they were suspected of or charged with and giving details about family visits, medical attention and visits by lawyers that they had received. This evidence was not available at the time when AI prepared their report but at the same time they simply accepted the CENIDH accusations.

There is no recognition by AI of the immense task the police and judicial authorities have faced in dealing with the crimes committed over the period April-July. In part of course this is a result of AI's refusal to accept that such crimes took place, or at least that they occurred on such a scale as to risk overwhelming the resources of the judicial system.

Why were 'pro-government armed forces' used alongside the police?

AI makes frequent reference to the use of 'pro-government armed forces' or volunteer police, again without explaining the context. The police in Nicaragua do not routinely carry heavy weapons, they do not have armoured vehicles, and their numbers were insufficient to handle the scale of the uprising that took place. Nor for political reasons could the army be deployed. There was good reason to use volunteers in what was in effect an emergency situation, especially in the worst of the opposition violence in places such as Masaya and Jinotepe (see Chapter 4).

Did government action lead to people leaving the country as refugees?

AI reports correctly on the numbers of Nicaraguans who left the country for Costa Rica during and after the period of violence, many of whom sought asylum there. It attributes this entirely to **'the widespread persecution'** by government forces (p.48 and elsewhere). It ignores other explanations, such as:

- The longstanding tradition of migration to Costa Rica, whether short-term or long-term, for economic or family reasons, resulting in around 500,000 Nicaraguans being in Costa Rica at any one time. Thus in all likelihood the newcomers represent an increment of only about 5% of the pre-existing Nicaraguan migrant population in Costa Rica.
- Suggestions confirmed by informal interviews carried out for this report with Nicaraguans in Costa Rica, that many of those seeking asylum had emigrated before April, and took advantage of the situation to regularise their status.
- Reports from the same interviews that the overwhelming reason for recent migration has been economic problems, which themselves resulted from the opposition violence, the paralysing of the country by roadblocks and the consequent unemployment.
- Some migrants leaving for Costa Rica because they had committed crimes during the period of violence, and were well aware they would have to account for them if they stayed.
- People simply leaving on a temporary basis to escape the violence.

Of course, if asked, recent migrants are likely to claim they are fleeing violence and persecution perpetrated by the Nicaraguan government, as this is a convenient alibi for seeking asylum. While a proportion undoubtedly believe this to be the case, there is anecdotal evidence that it is a minority of those who have fled. Indeed there is also evidence of Nicaraguans returning as the situation in the country returns to normal, supporting the argument that they left for economic reasons. AI has simply jumped to conclusions on this issue without examining it in depth or considering alternative explanations.

3 Amnesty International's 'timeline of key events'

AI offers a **'timeline of key events'** (pp.8-10) which has various omissions, inaccuracies or pejorative statements. Some of the most obvious are noted here. Others are referenced elsewhere in this report:

- **'...signs of a deterioration in the human rights situation had become increasingly visible to the general public'** before the April demonstrations. This statement is offered with no explanation as to what it refers to, nor does it explain how the 'general public' were judged to be concerned about human rights issues.
- **'In April 2018, the government adopted a number of social reforms which were considered onerous by a large part of the population.'** Again, no evidence is provided for this sweeping assertion.
- **'This state response [to the protests] caused such outrage that the ... demands changed [to call for regime change].'** This assumes cause and effect, and that regime change was not the initial aim. It also neglects the huge role played by social media and fabricated news in convincing people that dozens of students had been killed in the initial demonstrations and provoking further protests.
- **'In response to ... the stagnation of the national dialogue' [roadblocks were erected].** The first roadblocks were erected well before the dialogue began (the first on a main road was Empalme de Lóvago on [May 9](#); the first roadblocks in cities were erected in April). The Episcopal Conference accepted the role of mediator on April 24 but it took 21 days for them to call the national dialogue to its first session (May 16). By that date, at least 22 municipalities already had roadblocks. The later stagnation of the national dialogue resulted precisely from the opposition's refusal to remove the roadblocks in return for government reassurances about police being confined to police stations and being given orders not to use their weapons. AI's timeline also makes no mention of the demand from the opposition on the first day of the dialogue (May 16) for President Ortega to leave power.
- **'...between 50 and 80 main roadblocks...'** As noted above, AI's description of the numbers of roadblocks drastically understates their scale and impact. Exposing such a huge and obvious gap in their knowledge calls into question their claimed understanding of wider events in May and June.
- **'serious human rights violations' in May and June** are attributed to the government without considering alternative explanations. AI ignores many key incidents. For example, on May 29 protesters set fire to the offices of [Nueva Radio Ya](#). They surrounded the building, opening fire on those attempting to escape, and 22 deaths were only narrowly avoided. On June 9 it was [Radio Nicaragua's turn](#), also destroyed by fire.
- **'...the burning down of a house in Managua on 16 June, allegedly by pro-government armed groups'**. The police have now arrested culprits and provided [substantive proof](#) that the arson attack on the house in barrio Carlos Marx was carried out by opposition attackers.
- **'...the roadblocks were removed peacefully... in only two places (San Pedro Lóvago and Juigalpa).'** This is wrong in two respects. It implies that others were not removed peacefully, but in the case of the three departments covering that part of the country, all others were

removed without reports of death, injury or other violence. Ironically, in ones they cite as problem-free, Empalme de Lóvago and Juigalpa, violent confrontation occurred when the opposition did not abide by the accord with the government (of which we have seen a copy).²

- Events in Morrito on July 12, one of the most serious incidents in the violent coup attempt, are omitted from AI's timeline. The opposition attacked the police station and town hall, killing four policemen and a teacher and kidnapping and torturing nine others.
- **'In the context of widespread terror...'**, AI says that people left their homes and became internally displaced (meaning that they became refugees within their own country). This is both a gross exaggeration and fails to say that most who fled did so because they had been involved in or supported violence at the roadblocks.
- **'On 30 August, the OHCHR mission was expelled from the country.'** AI completely ignores the context for this, in which the Nicaraguan government was given very little time to respond to the work of the Office of the UN High Commission for Human Rights and had serious questions about its objectivity. As the government [pointed out](#) and as AI disregards:

'Throughout the report in question, OUNHCHR characterizes the so-called protests as peaceful, replicating the discourse of the groups promoting the attempted coup and the media that have served as their spokespersons. Contradicting itself, the same report recognizes the use of non-lethal weapons by demonstrators and in other paragraphs it tries to justify their use of lethal weapons. If the so-called protests had been "peaceful", how does one explain the death of 22 national police officers, with a pattern of being shot by firearms aimed at the head and thorax.'

- Numbers of deaths. See previous section. AI quotes estimates of numbers of deaths by CENIDH, one of the organisations whose statistical analysis has been shown to have serious weaknesses.
- **'...most of the people who died during the protests were reportedly killed by state agents or pro-government armed groups acting at the very least with their consent...'** **'...a minority of demonstrators or individuals... committed crimes against [Sandinista] supporters.'** This diminishes almost to the point of disregarding the evidence of deaths at the hands of violent members of the opposition available from the sources noted above, and dealt with in detail in Chapters 4 and 5 below.

It can be seen that Amnesty International's 'timeline' is not only incomplete but markedly unbalanced in its coverage of key events in the period June-September 2018.

² Note also that Luis David López Hurtado, a police officer, was shot at Empalme de Lóvago on July 14 and died four days later. Hernaldo Sánchez Chavarria whom ANPDH listed as dead on June 13, was shot in Juigalpa on July 28 and died 3 days later; he was shot defending a government (MINSAs) warehouse.

4 Amnesty's claims of a 'strategy of repression'

Introduction

The bulk of the AI report (pp.11-47) falls into one lengthy section, the aim of which is to argue that the government was entirely responsible for an '**escalation of the strategy of repression**' (p.11). Some of the overarching themes of this section, such as the government's strategy, the terminology used and the deployment of volunteer police (according to AI, '**pro-government armed groups**', p.13) are either dealt with in chapter 2 of our report (above) or covered in some of the case studies in this chapter, below.

We do not have the resources to address every detail of the 36 pages in this part of the AI report, so we have been selective, focussing on places and victims about which we have direct knowledge or have been able to obtain specific information. Our aim is not to disprove every statement that AI makes, but to show that there are sufficient doubts, omissions and inaccuracies in large parts of the AI report that, as a whole, it cannot be regarded as a credible record of human rights violations in Nicaragua over the period that it covers.

As noted earlier, apart from our limited resources, we and other readers of the AI report are prevented from verifying the facts of a number of cases that AI presents, as names are not given. Since AI often quotes police sources in those cases, it is difficult to see why anonymity is required.

The liberation of Masaya, July 13-17

The AI report makes several references to the city of Masaya, principally in the context of the 'clean up' actions in mid-July to regain control of the barrio of Monimbó (pp.18-21). AI's previous report *Shoot to Kill* covered the period in Masaya from mid-April until 12 May. The new report presumably covers the period from then until mid-September. What it completely fails to do is record the extreme opposition violence that began on 12 May and continued until 17 July when the siege of Masaya was brought to an end. This section of our report shows how – by omitting any reference to the violence by protesters in Masaya – AI gives a completely unbalanced and misleading impression of events and of the action taken by government.

On **12 May** itself the opposition burnt down the town hall and the mayor's brother's house, and ransacked or burnt several other private houses and many shops. Then on following days they attacked the tourist market, the main secondary school, the prosecutor's office and other buildings and private homes. None of this is mentioned by AI.

From this point until mid-June the whole of Masaya was effectively under siege because of the sheer number of roadblocks, made by digging up the roads and using the paving stones ('adoquines'). In the centre of the city and in Monimbó these roadblocks were often at head height, with only a small gap for people to pass (if they were allowed to). Some were reinforced with deep ditches dug into the road itself. Far from being 'defensive', they were assembly points for attacks on people, houses, businesses and the police.

During the whole of the five-week period beginning on **May 12**, practically all banks, public buildings, schools and shops across the city were closed if they had not already been ransacked. Many businesses were closed and people were without work. Vehicle traffic was paralysed and the only means of moving around was on foot, bike or motorbike. At the roadblocks, hooded and armed 'protesters' could demand to see identity papers, search bags and intimidate or threaten people or refuse them passage. Armed groups went from house to house at night time threatening occupants and stealing from them. Many Sandinista supporters or government workers suffered during this period, none of them mentioned by AI.

On **May 20**, despite a 'truce' established at national level as part of the 'dialogue' between government and opposition, [protesters attacked the Masaya police station](#). At this point, under the terms of the truce, the police were confined to the police station, under orders not to return fire. Protesters completely ignored the truce and took advantage of this to surround the police station with roadblocks. The police could then neither escape nor receive supplies. Nightly attacks on the police station began to take place, using rifles, contact bombs and other weapons as well as specially built, large, makeshift mortars. Two attempts were made to burn down the main Masaya secondary school which overlooks the police station, so as to get access to it. On **June 1**, in an attack on the head of the health service in Masaya, Dr Silvio Navarro, his official vehicle was burnt, his house surrounded and he and his family assaulted and threatened.



Attack on the official vehicle of Dr Silvio Navarro in Masaya

A government [video](#) explains the events of this period, including the attacks and the weapons used. Another [video](#) promoting the opposition viewpoint shows how at this stage the city was totally controlled by the roadblocks on the main roads and within the city itself. It also shows (at 9 minutes) how the opposition had stolen police uniforms for use, and were threatening to kill the police and leave their bodies in the streets.

On **June 3**, rifle fire hit Lieutenant José Abraham Martínez in the eye; a group of police were eventually able to leave the station and after prolonged attempts forced their way to the hospital, only by driving over sidewalks and pushing through about a dozen roadblocks, where they were met with gunfire. Even then, armed groups followed them to the hospital, where the lieutenant was pronounced dead, and made their return to the police station essentially a combat operation. Protesters even tried to steal the body from the hospital and doctors had to hide it. In the same incident, rifle fire badly injured another officer, Marlon Gerardo García Gómez.

During this period, several police officers, family members and ordinary citizens were kidnapped and tortured when they tried to pass the roadblocks in the course of normal business. Among the worst incidents were these:

- On **June 12**, protesters destroyed the municipal depot and several vehicles used to collect the city's rubbish. They kidnapped ten workers and held them for several hours while they were badly beaten.
- On **June 23**, Carolina de los Ángeles Collado Delgadillo, a municipal worker in Masaya was killed by opposition gunfire while repairing roads on the north side of the city damaged by the building of roadblocks. As in many other cases, she was presented in [the right-wing media](#) as a victim of police – rather than opposition – violence.
- On **July 12**, police officer Rodrigo Alfredo Barrios Flores [was kidnapped and tortured](#). He managed to escape his captors three days later.
- On **July 14-15**, unarmed, off-duty police officer Gabriel de Jesús Vado Ruíz was kidnapped, tortured and, on the second day, killed. His kidnappers were roadblock operators who discovered his uniform in his backpack. His body was [burned](#) at one of the roadblocks; a Catholic priest, Harvin Padilla, was accused of being complicit in the crime because he was aware of it and [was recorded](#) saying that photos and videos should not be published because of the bad image they would create.

On **June 18**, armed protesters [declared](#) a five-member 'junta of national salvation' to administer Masaya and said they no longer recognised the Ortega government. But the north side of Masaya was liberated on the following day, **June 19**, and access to the police station was restored (after more than a month's siege). However, the south side of the city, Monimbó, remained blockaded.

On **June 21**, a Catholic delegation, including the Papal Nuncio, came to Masaya. As well as visiting the roadblocks in Monimbó, they met with senior police officers. While the meeting took place, an explosive landed in the police station itself, almost hitting the delegation, and one of their members had to make a phone call to ask the protesters to stop firing. Supposedly to achieve reconciliation, the main purpose of the delegation appeared to be to deter the police from entering Monimbó.

In addition to this meeting, various attempts were made to find a peaceful solution to the occupation of Masaya. For example, on **July 1**, various leaders of gangs which were operating at the

roadblocks in Monimbó signed agreements with the police and the Masaya mayor. However, these agreements [were immediately denounced](#) as having no validity by opposition leaders in Masaya.

Eventually, as Amnesty reports, large numbers of armed police and volunteer police entered the south side of Masaya on **July 17** and regained control of Monimbó and the rest of this side of the city. Given the extent of the roadblocks, the quantity of arms including automatic weapons held by those manning them, and the history of attacks on the police and the population in general, the police operation was highly restrained. It resulted in only six deaths (Amnesty say ten), one of whom was a police officer. It was clear that, given that the army itself had not been deployed by the government at any stage, the police themselves would not have been able to conduct this operation successfully without the massive logistical support from the volunteer police.

However, within 24 hours Amnesty had already reached its own conclusions about the events. Amnesty's Erika Guevara-Rosas was [quoted by Reuters](#) as saying 'President Ortega has shown time and again that he will stop at nothing to crush all those who dare to oppose his government and anyone unfortunate enough to get in the way.'



Police photographic evidence showing use of conventional weapons by the opposition in Masaya

AI says that weapons were used which were **'in no way appropriate for public security operations'**. It also says that **'the state did not weigh up whether force should be used against demonstrators'** (p.21). However, it can be seen from the above and from plentiful other evidence that the police were confronting protesters who in many cases had conventional weapons and who had carried out several murders and armed attacks in which police and others had been injured, often severely.

Many Nicaraguans in Masaya and elsewhere had originally believed fabricated news and social media reports, blaming the government for the violence linked to the protests. But during their long experience of the opposition roadblocks it became clear to them who the real perpetrators of the violence were. Unfortunately, Amnesty seems to have deliberately chosen to ignore that violence.

Masaya protesters interviewed in October after fleeing to Costa Rica, [in a programme recorded by Jorge Ramos](#), talk openly about the weaponry they had in Masaya and the murders they committed.

They talk about giving up the use of makeshift weapons in favour of using powerful modern weapons. This is only the most specific of dozens of videos and photos which show how conventional weapons spread rapidly around the Masaya roadblocks, especially those on the main roads around the edges of the city and leading to Managua. AI only uses photos of police or volunteer police with their weapons; it has no photographs of protesters with conventional weapons.

Amnesty International says '**International standards require that all other avenues be exhausted before resorting to the use of lethal force**' (p.20). It does not mention the truce agreed in the national dialogue which was respected by the government but broken by the protesters. It makes reference to the specific steps taken in Masaya, noted above, but without making it clear that they failed. It makes no reference to the declaration by the opposition of Masaya's 'independence' on June 18, which was a clear signal of their intransigence.

AI also says that the government's action suggests that '**the authorities wanted not only to tear the roadblocks down violently, but also to punish (even with death) those who participated in building or operating them**' (p.21). AI does not explain how the roadblocks could possibly have been removed non-violently, given the hostility of protesters towards ordinary citizens who tried to prevent roadblocks being built (or to remove them afterwards), quite apart from their violence towards the police. AI criticises police chief General Avellan for saying that they would eliminate the blockades whatever the cost; but AI pays no regard to the drastic effects of the road blocks in isolating the city, stopping normal life, creating large 'no go' areas for the police and engendering wide-scale violence.

In the event, and because of the large display of force, many of those at the roadblocks fled, many carrying weapons. They left in their wake booby traps in the form of land mines or contact bombs on some of the roads and rural pathways they used as escape routes. Caches of arms have been discovered in various places in Masaya since mid-July. AI makes no mention of such incidents.

About 120 arrests were made at or near the roadblocks on **July 17**, but 80 of those arrested were released within a week, [after signing good behaviour agreements](#) with the police and the local municipality, even where they had destroyed public property (e.g. the roads) or used makeshift mortars. Those detained or subsequently arrested, particularly the leaders Yubrank Suazo, María Peralta and Cristhian Fajardo, and several others, were those accused either of leading the insurrection in Masaya, being involved in financing the roadblocks or accused of committing murder or other crimes of violence.

AI refers to the arrest of Cristhian Fajardo and María Peralta as '**arbitrary detentions**' (p.38). Apart from the details of the crimes of which they are accused, AI ignores the [confession by Fajardo's younger brother](#), Santiago Adrián Fajardo Baldizón, where he gives considerable detail about the weapons used and crimes carried out at the Masaya roadblocks.

The case of police officer Faber López Vivas

AI claims, without substantive evidence, that police officer Faber López Vivas was killed in the Department of Carazo on **July 8** as the result of an '**extrajudicial execution**' (pp.21). His death supposedly occurred because he had attempted to resign from the police force two days earlier and

as a result was murdered by his colleagues. Contrary to AI's assertion, officer López was actually murdered by opposition sniper fire that also took the life of one other police officer and wounded two more. This death and the events surrounding it warrant detailed treatment in our report.

Context of events in Jinotepe

Before looking at what actually happened on July 8, it is important to set the wider context in which López's death occurred (which AI fails to do). The whole of Carazo Department had been paralysed by road blocks for many weeks, with the police in Jinotepe having been confined to barracks (as in Masaya) by an armed siege that had lasted for more than 25 days. In addition, police stations in Diriamba and San Marcos had been destroyed by opposition mobs. AI failed to report that in Jinotepe, where López was killed, the ongoing attacks consisted of sniper fire with automatic weapons, Molotov cocktails and other weapons, with many police officers having been injured.

The road blocks in Jinotepe were considered to be the most dangerous in all of Nicaragua, as a [US motorcyclist was advised](#) in northern Nicaragua on June 14 while traveling south. There had previously been a relatively peaceful student protest movement based at UNAN-FAREM (Movimiento Estudiantil 19 de Abril Carazo), but wealthy and [right-wing political interests soon appeared and asserted their management over the students](#). These interests, most notably the departmental MRS and the FCUN (Fuerza Ciudadana de Unidad Nacional), continued to use the students as the face of the opposition, while at the same time planning and conducting violent actions to destabilize the country in the pursuit of 'regime change'. Their operation was able to [occupy the Colegio San José campus](#) through pressure exerted on the host nuns by key MRS alumni that included a US \$12,000 payment to the Colegio and the mischaracterization that the campus would only be used as a refuge.

A very different reality evolved, however, as by early June the Colegio was being used as a command and control centre for operation of the roadblocks and for violent attacks on government facilities and personnel; as a storage facility for a large cache of weapons, and as a torture chamber for kidnapped victims. Any remaining students who spoke out against the ever-increasing level of violence were simply [purged](#) and left on the street. The following details some of the more egregious acts committed by the opposition in the urban area of Jinotepe from April 21 to July 8.

- On **April 21**, anti-government mobs in Jinotepe looted and [burned the FSLN departmental office](#) and 'Casa del Obrero' to the ground, with many police officers injured during the riot.
- On **May 28**, an opposition gang entered the Manuel Hernández School on the southeast outskirts of Jinotepe to prevent classes from being held; parents and local residents forced them out, but hooded gunmen in vehicles then fired mortars at the nearby home of an FSLN veteran combatant of the 1979 revolution; the attack [wounded two](#), including the combat veteran's son.
- From **June 5** through **July 8**, the roadblock operators trapped over 400 large trucks within a 7km stretch of the Pan-American highway between Jinotepe (Petronic) and Diriamba (Las Palmeras) and refused passage; the truck drivers suffered from [a lack of food and clean clothes](#), their trucks were [attacked with firearms](#), and were subjected to [extortion demands by hooded gunmen](#) under the threat of their trucks being torched. The trucks were not released until after a July 3 [denunciation by the ambassadors of four Central American](#)

[countries](#) and after the roadblocks were finally cleared by national police on July 8 to [the applause of local residents](#). AI acknowledges (p.14) the detention of over 200 trucks, but the true figure was double this and AI completely ignores the opposition's violent acts against the truckers and their rigs.

- On **June 8**, the opposition began a targeted criminal campaign against government facilities in Jinotepe with the complete sacking and looting of the Public Registry Building, followed by the Education Ministry building on **June 11**.



Conventional weapons in use by the opposition in Jinotepe

- The campaign intensified on **June 12**, as anti-government gangs launched an [armed siege](#) on the main Jinotepe police station that seriously injured three police officers and that would trap police inside for another 25 days. They [assassinated FSLN combat veterans](#) Marcus Gutiérrez Acevedo and Guillermo Lucio Méndez Ortiz; [kidnapped](#) at least nine FSLN members or supporters, who were interrogated and abused before their [release](#) two weeks later; destroyed a police substation by fire; completely or heavily looted the facilities of the [Transport Ministry](#), the District Criminal and Civil Courts, and a health centre (SILAIS); [attacked and attempted to seize the regional hospital](#); vandalized and occupied the UNAN-FAREM campus; and looted the private homes of Jinotepe Mayor Mariano Madrigal and other citizens (police stations in [Diriamba](#) and Las Esquinas, San Marcos were also looted and destroyed on June 12).
- The orgy of violence continued on **June 13** with the women's police station being [looted and destroyed](#) (video at 2:13); the continued or partial looting of SILAIS and water department buildings; and the hijacking of the Santa Teresa Health Centre [ambulance](#), which had been in Jinotepe transporting a woman about to give birth.
- **June 15** saw a particularly strong armed assault on the main police station and yet more looting of the SILAIS facility; the [SILAIS ambulance being stolen](#) and six trucks and three motorcycles either being stolen or destroyed (along with the theft of three trucks and two

motorcycles from other government agencies during this general time period). In a similar vein, the El Rosario Health Centre [ambulance was hijacked](#) by hooded gunmen at the Dulce Nombre roadblock on **June 26**.

- On **June 19**, the insurrectionists [hijacked two fuel tankers](#) from the Puma gas station, parked them within 100 meters of the main police station, and attempted to set off a massive explosion by firing mortars and lobbing Molotov cocktails. The attempt failed, but if it had succeeded the blast would have destroyed the police station and had catastrophic results within an 800-metre radius.
- On **June 25**, Cristhoper Roberto Castillo Rosales was [shot to death](#) at the entrance to his neighbourhood by hooded gunmen on a motorcycle; his father, FSLN member Robert José Castillo Cruz, [publicly denounced](#) his son's assassination, but was then himself stopped on **July 5** by operators of the road block fronting the Hertylandia amusement park north of Jinotepe and [murdered](#); hooded gunmen [disposed of his body in a remote garbage dump](#) in his neighbourhood; Yadira Ramos, a companion who had been traveling with Castillo on his motorcycle, was herself kidnapped, tortured, and raped. Ferson Castillo, a second son of Roberto's and also an FSLN member, had previously been kidnapped by operators of the Colegio San José road block and held for a month before his release. In [this video](#) he explains how the 'terrorists' did so much damage to his family.
- On **June 29**, Bismarck de Jesús Martínez Sánchez, a popular Managua municipal official, was [kidnapped](#) at the Las Esquinas tranque while travelling to see family in Jinotepe; he was taken to the Jinotepe municipal stadium, adjacent to the roadblocks headquarters at Colegio San José, [tortured](#), and still remains missing.
- On **July 2**, the siege of the main police station continued with a particularly intense assault that left one police officer seriously injured and on **July 3** a police officer and a veteran combatant water utility worker were [kidnapped](#) by operators of the Dulce Nombre roadblock.

Further detail on the foregoing and other opposition violence in Jinotepe during the **April 21-July 7** time period is available in this [summary](#) that was presented to the Organization of American States on July 11. It should be noted that during this extended period of extreme violence prior to July 8, [not one single opposition death](#) was recorded in the Jinotepe municipality by the opposition-affiliated human rights organizations (the four prior deaths all having been members or supporters of the governing party, as specified in the chronology above; see also this opposition [report](#) for the July 2-July 7 period).

The death of Faber López Vivas

This is the context for the tragic death of Faber López Vivas, which occurred as the clearance of roadblocks began on the morning of **July 8**. In contrast to most such operations throughout the country that occurred with limited or no violence, it was no surprise that the particularly violent and well-armed nature of opposition in Jinotepe would result in a major conflict.

Such conflict did ensue and López was one of its first victims, the result of bullet wounds from an opposition sniper and not the result of an '**extrajudicial killing**' by the police themselves, as AI claims. The actual events as they unfolded are described below, followed by a critique of the claims made in the AI report and those made by the victim's mother, which AI relies on.

Faber López's unit of the elite anti-riot police (Dirección Operaciones Especiales Policiales – DOEP) arrived in Jinotepe in the early morning of **July 8** from locations outside the city. Their mission, in conjunction with local regular and volunteer police, was to clear the large number of roadblocks that the opposition had erected in Jinotepe and other Carazo municipalities. The units began their mission at 5:00am and came in on rural and secondary roadways in order to reach the heart of Jinotepe without engaging in major conflicts at the tranques located on the principal highways.

After arriving in Jinotepe, López's and other units were able to reinforce the main police headquarters, allowing the sequestered police to leave for the first time in 25 days. At approximately 6:00am, DOEP contingents were dispatched from the building to begin clearance of nearby roadblocks. Faber López was part of the first group of five who left the building, whose only exit was on the north side of the Pan-American Highway. That first group emerged from that access point and crossed to the south side of the street, except for an advance team member who moved along the right side. The team advanced in a westward direction toward the infamous Colegio San José tranque, also located on the Pan-American Highway about 600 metres away. After approaching the second intersection, the unit came under fire from a sniper perched in the UNAN-FAREM tower, located at the southeast corner of the third intersection and about 200 metres to the west of the police station. Faber was hit by nine rounds and died instantly from the shot that hit his head. Hilario de Jesús Ortiz Zavala was hit in the leg, but was still alive.

The team members then yelled ahead to the advance scout that they were under fire, but that officer could not take cover in time and was shot in the arm. Another officer tried to bring Hilario to safety but was himself first shot in the leg and then in the buttocks, the second shot immobilizing him. Hilario, still seen moving by the sniper, was finished off with two more shots with the colleague who attempted to rescue him having heard his dying words of love for his wife and family. A member of a following group attempted to retrieve Hilario, but himself was wounded by a shot in the process. All three of the wounded that survived managed to find cover and make their way to safety. The sniper subsequently fled and the Colegio San José was cleared, allowing the 400 international truck drivers trapped between Jinotepe and Diriamba to the west to finally head to their destinations after many weeks.

The foregoing account was confirmed by a police narrative and witness in this [video](#) posted on **August 6** (at 4:23), [video statements](#) made on July 9 by the three officers who were wounded but survived, an eyewitness that we spoke to, persons close to that eyewitness who also spoke to us and confirmed having been told the same account by the eyewitness shortly after **July 8**, the detailed **July 11** [report](#) to the Organization of American States from the Nicaraguan government (English version at page 3), the **July 9** [IML report](#), and the **November 8** IML autopsy response to AI allegations (see the Annex 1 to this report).

The roadblock clearing operation continued throughout the morning after López had died and was completed by mid-afternoon. Most of the opposition fighters fled, but some chose to stay and fight and block-by-block armed conflict ensued until the remaining fighters were either captured or by that time had finally fled. In addition to López and Ortiz, three auxiliary police officers were killed in the Jinotepe battle – Miguel Ángel Osorno Acevedo (age 26), Candido Pérez Marcia (age 53), and Remberto Benito Cortez Zapata (age 42) – the latter having been captured by the opposition and tortured, prior to being murdered. Four roadblocks operators also died in the conflict – Alejandro

Carlos Ochoa Acuña (age 18), Luis Acevedo (age 27), Gerald Antonio Barrera Villavicencio (age 25), and Bismarck Adolfo Ariaz Díaz (age 37); the latter died on July 10 after having been taken to a Managua hospital. The bodies of López and Ortiz were transported to the IML (Institute of Legal Medicine) facility in Managua by a Diriamba health ministry ambulance, arriving at 5.00pm.

The faults in the analysis by Amnesty International

We have set out in highly documented detail the general context of events in Jinotepe during the crisis and the tragic killing of police officer Faber López by a sniper on **July 8**. In contrast, the AI account that López was killed by other police officers is not based on any substantive documentation, but rather on the uncorroborated and inconsistent representations put forward by his family, who were never in Carazo Department, did not witness his death, and did not claim to have talked to anybody who actually had. The family version is based wholly on suppositions that do not stand up to even the slightest investigative scrutiny.

In the first place, AI obfuscates such scrutiny by vaguely referring to their source as either a ‘relative’ or ‘family’, even though the source is obviously Faber López’s mother, Fátima Berlamina Vivas Torrez. There was no basis for concealing Vivas’s identity, as she had openly publicized the exact same story that AI is now putting forward in a July 9 press conference and subsequent media interviews. Her story appeared in at least two video posts (see below) and 15 web articles in opposition media from July 9-11. As with AI, all of these opposition media outlets served as a platform for Vivas’s claims without one scintilla of independent investigation as to their veracity. It appears that the intended audience of Vivas’s claims, as amplified by AI and the Managua-based opposition media, is an unwitting international audience, as no traditional or social media in Carazo Department gave even the slightest mention of her story, particularly the virulently anti-government social media based in her home town of Santo Tomás.

If AI had done no more than examine above-referenced videos and articles in any detail, it should have readily come to the regrettable conclusion that Fátima Vivas’s story, despite her being Faber’s mother, was riddled with contradictions and that she was not a credible witness. In particular, Vivas stated in her first series of interviews that Faber had [died from a shot to the forehead](#), subsequent to having identified the body in the IML morgue the early morning of **July 9**, while accompanied by an attorney from the opposition’s criminal defence firm. Then, after having agreed with the IML report as to the cause of death, she went on to make the incredible statement that the police must have killed her son because [only the police can accurately shoot to the forehead](#). That statement alone should have cast a long shadow of doubt on her credibility, particularly given that the opposition in Jinotepe was being spearheaded by ex-military commander Tomás Maldonado and had been using automatic assault rifles since early June.

Nonetheless, Fátima Vivas completely changes her story late the next day by then claiming that Faber had not been shot in the head at all, but had been tortured to death and the only place where such torture could have occurred is the [El Chipote prison](#), which is located far from Jinotepe in Managua. Not unsurprisingly, she offers no explanation as to how Faber was somehow tortured in a distant prison at the same time he died in Jinotepe during the morning of July 8, as all accounts agree, and his body transferred from the nearby Diriamba health centre to the IML morgue in Managua by 5:00pm that afternoon.

Fátima Vivas further tries to substantiate her torture claim, by stating that a forensic pathologist had helped her examine the body after it was retrieved from the IML morgue late in the morning of July 9 (and presumably at some point before burial in Santo Tomás the next day). Through this

examination, she and the pathologist concluded that he was tortured and this somehow caused his death. This representation again lacks credibility, as she never names the pathologist (who she alternatively refers to as just 'doctor'); does not provide the pathologist's credentials or office location; does not indicate where the examination took place; does not provide any written letter or report challenging the IML conclusion; and, most importantly, does not assert an actual cause of death. Vivas does cite various combinations of wounds to the body, but most of these would plainly not be an actual cause of death (such as a broken finger or pulled finger nail).

Furthermore, the wounds cited by Vivas are consistent with the trauma of a body having been shot nine times and falling with full weight to the ground, as well as having been dragged from the street by his colleagues under automatic weapon fire. An opposition video posted on YouTube includes a [partial photograph](#) that purports to be Faber's body, but the five neat sutures shown in the right arm and shoulder are consistent with having been shot nine times (and sewn up in the morgue) and the display of the middle right finger is less than convincing as to it being broken or that the nail is missing. All the photo does seem to show is a one-centimetre gouge in the knuckle of the middle finger that could have well been the graze of a bullet or a wound sustained from the impact of falling to the ground. This video, incidentally, is typical of the way accounts of deaths were twisted into opposition propaganda directed against the Ortega government.

As noted in other sections, the IML responded to AI's undocumented allegations on November 9 and made the following statement as to the Faber López case (original in Spanish):

'The body arrived at IML from Diriamba on July 8. A forensic autopsy was performed, concluding that the death was a homicide as the result of firearm wounds that penetrated the face and the chest. The body showed nine firearm wounds and no signs of torture, struggle or defensive wounds.'

AI also fails to note Fátima Vivas's close association with the opposition, as she openly admitted in the news articles and that was highlighted by the virulent epithets she hurled at the police and government. This close association with the opposition, however, does not seem to matter to AI, at least to the extent of requiring further investigation or corroboration. Even if AI had not researched the relevant background that was already on the record and that would have brought Fátima Vivas's credibility into question, it could have at least avoided acting as a megaphone for her uncorroborated claims, that were questionable simply at face value.

AI records Vivas's claim that her son told her on **July 7** that if he did not call the following day, it would be 'because they've killed me'. Given the numerous deaths and injuries already suffered by the police at the hands of the opposition in Carazo, and given the nature of the following day's planned operation, his reference to 'they' would have more logically been to the armed opposition (if his statement actually occurred in first place). In any event, the purported threats from his superior officers were based on consequences if he had not carried out his duties, which he did and paid the ultimate price for.

It should be further noted that Faber had been [featured](#) in a police video (at 1:18) about its training programme that was posted on **April 13** just days before the crisis began. It is doubtful that he would have been given such a high profile if there had been any issues between him and his superiors, at least up to that date.

AI reports that various attempts were made to contact Faber on **July 8**, as if this was evidence of something untoward, but he had been killed very early in the morning, and even prior to that his phone would have likely been turned off, given the nature of the operation. In addition, cellular service in the area was likely shut down during the operation.

AI notes that it took many hours for López's body to be brought to Managua, as if this delay was suspicious. This was hardly surprising, however, as the intense conflict in Carazo that day resulted in a [total of 16 deaths](#), mostly in Jinotepe and Diriamba. With the Jinotepe and El Rosario ambulances having previously been stolen or destroyed by the opposition, as chronicled above, the Diriamba ambulance was left to perform double duty. The ambulance dispatched from the Diriamba health centre made [numerous round trips](#) with a total of ten bodies to the IML morgue in Managua that day, with the first arriving at 8:23am and the last at 5:00pm (carrying the bodies of Faber López and Hilario Ortiz). In addition, this does not account for ferrying the seriously wounded to hospitals in Carazo, Managua and elsewhere. Under these circumstances, the AI innuendo that there was some kind of undue delay is entirely misplaced.

AI reports that it took until 11:00pm for Fátima Vivas to be informed of her son's death by the police, as if there was some kind of conspiracy to conceal what had occurred. To the contrary, news of López's death was widely publicized in the course of the same day that it had occurred, on **July 8**. The national police [released information](#) of Faber's death, which in turn was promptly posted by four [government](#) or [pro-government](#) media outlets and two [opposition](#) outlets. There was absolutely no attempt by the government to conceal news of Faber's death.

In sum of all the foregoing, the AI report could have come to a valid conclusion if it had bothered to investigate the Faber López case in any professional manner. It was, however, just too convenient to accept the incredible stories of a grieving mother that more neatly fit AI's narrative of the Nicaraguan government's supposed use of 'extrajudicial execution'. Clearly, AI did not visit or interview any witnesses in Carazo (or Santo Tomás, for that matter) and did not make any attempt to do so.

Events in Jinotega on July 23

AI focuses on three deaths in Jinotega on **July 23-24**, where according to AI the population had blockaded part of the city '**as a form of protection and protest**' (p.22). Below is what our documentation shows to be the correct names and ages of the victims:

- José Benito Rodríguez González, age 34, from Barrio Róger Hanguien
- Brayan Odonel Picado Blandón, age 22, from Barrio Camilo Ortega
- Leyting Ezequiel Chavarría Pérez, age 16, also from Barrio Camilo Ortega.

AI says that these were all shot by police, and were probably '**extrajudicial executions**'. For this report, neighbours and others who were witnesses to events in Jinotega, and have different political leanings, offered their opinions about these deaths. They confirmed that on **July 23** at about 5.00pm the authorities entered Barrio Sandino to clear roadblocks, and were opposed by people who were manning them and who were armed.

Beginning at about 9.00pm this resulted in exchanges of fire between police and those behind the roadblocks, and it was not until the early hours of the following morning that police regained control of the area. Witnesses say that no one knows who killed the youngster Leyting Chavarría, because he left his house to look at what was happening and was hit by gunfire, with no one able to say where it came from.

On the other hand, José Rodríguez and Bryan Picado were known members of the opposition who were actively manning the roadblocks and defending them with weapons. They died in exchanges of fire with the police, with no one being sure who actually killed them. The police press release, quoted by AI, reflects accurately what happened and does not deny that the police may have caused the deaths. AI's report however, by indicating that the roadblocks were simply '**a form of protection and protest**' for people of the area, rather than the scene of violent confrontation with the police, is totally misleading. None of those questioned for the purposes of our report agreed that the deaths could be described as 'extrajudicial executions'. The IML confirms that in none of the three cases were the bodies presented to them to establish the causes of the deaths (see Annex 1).

It should be emphasized that AI once again fails to provide the broader context in which the roadblock clearance occurred. As [opposition media reports](#) confirm, the Jinotega roadblocks had previously been dismantled in a peaceful manner, as had occurred throughout much of Nicaragua. The Jinotega roadblocks, however, were re-erected on July 19 by which time all of the other roadblocks in Nicaragua had been dismantled. It is difficult to understand why AI or anyone else would think that the government would not act promptly to open up the roads at this time. Instead, AI tries to characterize the Jinotega roadblocks as the '**last stronghold**' (p.22), as if they had been continuously maintained throughout the entire crisis.

AI also fails to note, as opposition media again confirm, that earlier in the day on **July 23** the police had given fair warning that the newly-erected roadblocks would be removed if the operators did not do so themselves. AI further fails to make any reference at all to the purpose of the police action being to clear these roadblocks, but rather characterizes the operation as a very generalised '**attack in the Sandino neighbourhood**' where the police were '**attacking people indiscriminately**'. The already referenced anti-government media make no such claims and only describe the action as being focused on clearing the roadblocks.

Lastly on Jinotega, AI has no explanation as to why the police action required some ten hours to complete if it were not being faced with violent resistance as evidenced by five police officers having been injured (which AI obliquely refers to). Instead, AI characterizes the opposition victims as being only armed with slingshots and marbles or as having had no weapons at all. Even [Brayan Picado's mother](#), Maria Felicita Blandón, admits that her son was manning one of the roadblocks that day; in the same report Leyting Chavarría is quoted as saying that he was armed with an artisanal mortar launcher ('lanzamortero').

Events at the UNAN in mid-July

Amnesty reports that on **May 7** '**dozens of young people**' occupied the UNAN (National Autonomous University of Nicaragua) as '**a sign of protest**' against the government (p.24). The next five pages of the AI report give the overwhelming impression that peaceful students were attacked by government forces, principally on **July 13**. This is far from the truth. We will provide evidence to

show that those who took over the UNAN committed many violent crimes including the **May 25 [murder of a security guard](#)**. Along with extreme violence they prohibited thousands of students from studying from **May 7 to July 14** through occupation and destruction of the university. Then from **July 15** to late September studying at Nicaragua's largest university remained impossible because of the clean-up and reconstruction work necessary due to the vandalism they carried out.

The remainder of this section concerns events in mid-July, the period of the incidents covered by AI.



A small selection of weapons found during arrests connected with violence in the UNAN

July 13: UNAN occupiers attack Sandinistas with high-powered weapons

On the morning of **July 13**, opposition forces from the UNAN attacked a group of Sandinistas heading to join the march to Masaya. This was a very important day for the Sandinistas where they re-enact the strategic retreat to Masaya of June 1979. Because of the coup violence the re-enactment had been postponed until July 13, when conditions in the country had begun to normalise.

The [occupiers attacked the Sandinista group](#) in the Rigoberto López Perez sector close to the UNAN, shooting and seriously wounding ten people, five being taken to the Fernando Vélez Paíz Hospital and the remainder to the Military Hospital:

- Darwin Vilches González, 33 years old, had gun-inflicted abdomen wounds. He went into surgery with multiple intestinal perforations.
- Fernando Antonio Hernández Martínez, 48 years old, was wounded by a firearm in the back left hemithorax.
- Carlos Andrés Sánchez López, 34 years old, had a gunshot wound to his left maxilla and to his right thigh.
- Javier Ramón Alonzo Alvares, Director of the Legal Department at the Managua Mayor's office, had a firearm wound to his thorax and left arm.

- Joaquín Fernández Corea, 31 years old, was wounded by a firearm to his left thigh.
- Francisco Cuadra García, came in with a firearm wound to his head and in his right arm.
- Carlos Obregón Bojorge, 28 years old, had firearm wounds to his left thigh and thorax.
- Santos Orlando Zeledón Aguirre, suffered a gunshot wound to his back ear area.
- Michael Jeferson Álvarez Romero, 19 years old, was shot in his right arm.
- Carlos Escobar Sánchez, 55 years old, was shot in his right leg.

Evidence of extreme violence and heavy weaponry used on July 13

The following videos are all from July 13 and show the heavy weaponry used by the UNAN criminals:

- In [this video](#) they are staging a media show: In the video you see people posing for photos/videos acting as though they are being attacked but you also see others just relaxing on chairs. In the background audio you hear men asking for more magazines and bullets.
- This [video](#) also shows heavily armed UNAN criminals.

In another video, one of those involved in the armed occupation [describes in detail](#) and under no apparent pressure, what happened, his involvement, and why he withdrew from the violence.

Opposition criminals burn down the Arlen Siu Child Development Centre

As the occupiers were leaving the university they received a phone call from someone by the name of Armando ordering them to burn down the UNAN. This conversation was [recorded on Facebook Live](#) and it included the infamous Dania Valeska Sandoval, who was videoed at one of the roadblocks pleading forgiveness from her mother (another, similar, play-acted video is noted above). You can hear her enthusiastically respond ‘yeah, I’ll burn it’ when she receives the order from ‘Armando’. Later the opposition groups posed for [pictures](#) in front of the burning building. Here is [what was left](#) of the Arlen Siu Child Development Centre after it was destroyed.

July 14-15: Authorities arrest terrorists that used the UNAN as their base

Twenty-four UNAN-related delinquents [were detained on July 14 and 15](#) and have already admitted to many crimes. [Hundreds of weapons](#) were in their possession, very many makeshift but including significant numbers of conventional weapons with which multiple crimes were carried out. The police had received frequent complaints of assaults from people in the UNAN neighbourhood. Those robbed and assaulted reported that the UNAN occupiers were responsible. Delinquents detained included those who killed 27 year-old José David Oviedo, security guard, on **May 25**, on the south side of the UNAN (see above).

The arrests included members of a gang based at the UNAN and led by Francisco Javier Hernández Morales, alias ‘Pancho Enano’. They were apprehended while travelling in a white vehicle, licence #M 067185, armed with pistols and revolvers and carrying a large quantity of marijuana. They admitted to assaulting a USAID (United States Aid to Development) driver and robbing the vehicle, a grey Hilux, license #CD0207, and two 9mm Glock pistols, which they used for robberies. Eventually they abandoned the truck to a human rights organization. Members of this gang also burned Radio Nicaragua and a number of vehicles, and assaulted various security guards, stealing weapons.

Other arrests

On **July 11** in Nindirí the police had captured three men in a Mazda, licence #CZ13224. They were transporting military-style weapons from the Managua Cathedral to Monimbó in Masaya. One of those detained was Kevin Rodríguez Espinoza Gutiérrez, 21 years old, founder of the M19 movement, participant in the take-over of two universities – the UNAN and the UPOLI – with Victor Cuadras and Lester Alemán. They planned destabilising acts like burning and destroying buildings, including public buildings and radio stations, and also criminal acts against people. They were involved in the burning of [Tu Nueva Radio Ya](#) radio station on **May 28** when 22 workers were inside and of the Caruna building on **May 30**. Miguel Angel González was part of the group that killed US citizen, Sixto Henry Vero. Edwin Antonio Altamirano was one of the killers of the two policemen in San José Oriental, Managua on **June 11**.

July 14: Events at the Divine Mercy church

On July 14 a large group of terrorists left the UNAN with high-power weapons and were given cover in a nearby Catholic Church, Divine Mercy. With help from the priests who came to the church a caravan was organised to get the arms out of Divine Mercy and take them to the Managua Cathedral. This is the context for the events reported by AI (p.25) when they clearly give the impression that those hiding at the church were unarmed or only had **'homemade mortars'**.

Four opposition members [were arrested that day](#) when found in a Blue Toyota Prado, licence #M185-381, owner Donald Antonio Castellon, carrying a number of rifles, sniper weapons, pistols, revolvers and hand-made guns. This vehicle was one of those used to carry arms from the UNAN. The fact that they were travelling in one of the most expensive cars available in Nicaragua indicates either robbery or complicity with wealthy opposition funders.

How the UNAN was found on July 14 and 15

When the police and government forces were able to enter the UNAN they [collected evidence](#) of the criminal occupation, the arms and other supplies used, the stolen motorbikes, medical supplies, etc., and [the destruction of the UNAN facilities and equipment](#).

Dania Valeska Sandoval, an opposition student who had been arrested, [gave testimony in early August](#) about the inner-workings of the occupation and how some of those involved stole money and vehicles. She says that many walked around armed all the time and those same people went out to commit robberies. There was a torture chamber headed by 'Alias 5'. Other older people were around but they always had their faces covered. As time went on there was discord because only a few people were in control of donated money and in-kind donations.

As soon as the testimony was released, the opposition labelled [her as a traitor](#). Valeska Sandoval later disowned the testimony; however it is difficult to see how such a detailed account could have been dreamt up solely to obtain her release from prison. She showed no signs of stress while relating her account, nor of physical abuse. In any case, her testimony [was confirmed by others](#), and there was [plentiful evidence](#) of the use of arms.

US journalist Max Blumenthal visited the UNAN one week after it had been taken back from the occupiers, and spoke with university student representatives. They gave him their testimonies and first-hand accounts of what had occurred starting in May, when the opposition violently entered the university and attacked students and teachers in an attempt to take it over. Here is [his report](#). This was well-publicised at the time, but was apparently overlooked by Amnesty International.

Amnesty International ignores this context for the events at the UNAN

AI spends five pages of its report (pp.24-28) criticising the government response to the occupation of the UNAN without paying any regard at all to the context of the events on July 13 or to the violence and criminal nature of the opposition forces in the lead up to that day and immediately afterwards. AI gives details of weapons used by government forces but completely ignores the serious weaponry held and used by the opposition, which by then had been employed during many violent local attacks, for several weeks (as people living near to the UNAN testified). Yet the evidence of the violence and the weapons used, together with the abuse and destruction of the university itself, was public well before AI completed their report.

The obvious conclusion is that Amnesty International either was aware of this evidence and ignored it, or that it did not scrutinise police and media reports, or speak to UNAN representatives or people living in the vicinity, who would have corroborated this account of events. Either way, its account of events at the UNAN is totally biased and fails to acknowledge the criminality of those it portrays as victims of state violence.

The cases of Medardo Mairena and Pedro Mena

AI only briefly refers to this case which it categorises as one of '**arbitrary detention**' (p.38). We now have the benefit of the police evidence against these two opposition leaders, summarised below, to show how their detention was far from 'arbitrary'. In fact, they were arrested at the airport in Managua as they tried to leave the country.

An undercover police officer, 'Code One', testified that Medardo Mairena, a leader of the coup attempt, ordered crimes including assassinations, in order to try to force the government to yield to the demands of the coup group. The officer was incognito from **April 25 to July 13**, and witnessed many illegal acts committed at or near the roadblocks of Juigalpa, Lóvago, Acoyapa and Morrito. He revealed that Medardo Mairena was the leader of the roadblocks; Pedro Joaquín Mena was the treasurer of the organization.

Among actions ordered by Mairena were the kidnappings of government officials, including police. 'At the roadblocks they charged vehicles from 150 to 600 córdobas (US\$4.61-\$18.45) to pass,' he said. Mairena appeared on **July 10** to meet with the heads of the roadblocks and directed them not to allow ambulances to pass in order to exert more pressure on the government, said Code One.

On **July 12**, the day that four police officers and a teacher were murdered in Morrito (see Chapter 3), the undercover agent was at a roadblock nearby and heard that they were planning the attack. 'Medardo Mairena came to the roadblock and ordered the attack. He was responsible. I wanted to tell my Morrito collaborators but I was surrounded at the roadblock by members of the opposition and they would have killed me. I could not communicate until the moment of the attack on the police station.'

In the trial process, a police agent testified who was one of those kidnapped on July 12 from the Morrito police station after others were killed. They were taken to San Pedro de Lóvago, where they were beaten, shot and tortured. Officer Yorleni Ávalos gave an account of seeing his colleagues murdered that afternoon, when the criminals commanded by Medardo Mairena came to attack.

The case shows that AI is itself 'arbitrary' in its categorisation of arrests of opposition figures: it is now clear that in these specific examples which AI cites, the detentions were far from arbitrary and were for serious criminal acts.

The case of Amaya Coppens

Amaya Coppens was arrested in September 2018 and her case has been the subject of considerable publicity because she has dual nationality (Nicaraguan-Belgian). AI includes her name (p.38) in its list of prisoners who have been detained arbitrarily and accused of terrorism, which AI believes could lead to '**misuse of the criminal legal framework**' (p.37). She was also the subject of an AI [urgent action notice](#) in September, which claimed that she and others had been '**detained solely on the grounds of the peaceful exercise of their right to freedom of expression and assembly**'.

The case was the subject of [an interview with Doctor Javier Morazán](#) of the Public Prosecutor's Office later that same month. The office filed charges against Amaya Coppens and six others for the crimes of terrorism, possession and illegal carrying of firearms, kidnapping, armed robbery, serious injury and disrupting public services. As Dr Morazán explained, the charges were based on witness evidence, expert investigation and evidence taken from the defendants themselves. It established that from **April 20** until the end of June the group ran a roadblock on the main highway in San Benito, which turned into a centre of criminal activity where people were kidnapped, robbed and beaten. The same group was involved in a separate blockade in León.

In San Benito on **May 23** the group led by Coppens detained Luis David Arias; Coppens ordered others to beat him and to clean him of his belongings, according to testimony of the victim. A similar

testimony was given by José María Vanegas, who was trying to pass one of the blockades led by Coppens. They held the victim on his motorcycle, and when he tried to escape they chased and caught him and took him back to the blockade. Then Coppens along with the others stripped him of his belongings, his phone, money, a ring and the keys to the motorcycle, kept him there for several hours, beat him, blindfolded him and finally let him go. In León on a different occasion the same group, led by Coppens, intercepted, detained and beat three police officers.

These attacks were typical of what was happening at the roadblocks organised by Coppens, intimidating the local population and creating fear and terror. That is why she is also charged with the crime of terrorism.

Amaya Coppens was interviewed in prison in January by a delegation from the European Parliament. As [can be seen from the interview](#), contrary to earlier accusations she appears to be in good health and was allowed to be interviewed freely and filmed in the presence of the European politicians.

The cases of Nelly Roque and Roberto José Cruz

These two were arrested on **June 26** and brought before a judge on **June 30**. AI says they were arrested while **‘travelling with three other people to Managua’** (p.39). In fact they were travelling in a car which carried weapons and large quantities of money. AI describes them as having **‘actively participated in protests organized in Matagalpa’**. In fact they were key figures at the roadblocks in Matagalpa, as is apparent from the [demands by others at the roadblocks](#) for their freedom after they were arrested. AI describes the process of their arrest as faulty but the delay between a judge seeking access to them as prisoners, and access being granted, seems to have been one day, which hardly seems a big enough issue to warrant two pages of coverage in AI’s report.

AI complains that the two received no medical examinations, but this is untrue. The Nicaraguan government released detailed information on 273 prisoners being held as a result of the violent attacks in April-July. It shows that Nelly Marily Roque Ordóñez received four medical visits and Roberto José Cruz Altamirano received two such visits.

AI describes these arrests as **‘cases of probable arbitrary detention’** (p.38). No information is given on the serious crimes of which these two are accused. They have now been found guilty of burning vehicles, robbery with violence, extortion (charging people money to pass through the roadblocks), kidnapping and torture. Their victims included Miguel Ángel Cruz Martínez, Charling Saúl González González and Israel Antonio Ortiz González.

5. How Amnesty could have examined violent events – a case study

The AI argument that the Nicaraguan government has been engaging in a strategy of repression further falls apart when conflict-related events are comprehensively examined in detail. Here is a short case study of the kind of approach that AI might have adopted had it intended to produce a properly balanced report looking at reported deaths and how they were caused.

This section reviews and analyses conflict-related events in a geographic area of central Nicaragua comprised of three contiguous departments (Boaco, Chontales, and Rio San Juan) and four adjacent municipalities (El Ayote, Muelle do los Bueyes, Nueva Guinea, and El Rama), located within the Región Autónoma de la Costa Caribe Sur (RACCS) and collectively referred to as Zelaya Central. This detailed examination will address deaths associated with the conflict, but it does not include kidnappings, attacks resulting in injury, or opposition attacks on government facilities, except where there are related deaths. This examination will show that the opposition was responsible for almost all of the deaths within this area from during the conflict from April 18 through early September, in stark contrast to AI's conclusion that the government is engaging in a 'strategy of repression'.

Overview of deaths in central Nicaragua during the conflict

The death figures released by the local bodies ANPDH, CENIDH and by CIDH were grossly inflated by including deaths that were unrelated to the conflict, were duplications, or did not occur in the first place. These errors were pointed out with detailed documentation by Nicaraguan researcher Enrique Hendrix in [a report released on July 8, 2018](#) (covering events through June 26, 2018). A [later report](#) released by an independent commission created by the National Assembly (CVJP) covers events through August 21, 2018 and has similar findings.

The analysis provided here is based on further detailed research of events in central Nicaragua. This has included a more comprehensive look at national and local media accounts and social media posts from both opposition and pro-government outlets. This assessment finds that the Hendrix and CVJP reports are substantially accurate in their characterization of the deaths and of who was responsible.

In particular, there were a total of 16 deaths in the entire subject area from April 19, 2018 through September 2, 2018 that were the direct result of actions taken by forces opposing or supporting the government. There were also two deaths where the information is insufficient to determine whether the deaths were the direct result of conflict action or not. In contrast, there were 18 deaths cited by opposition-affiliated human rights organizations that have been determined to either be unrelated to the conflict or, in two cases, the result of counting the same victim twice.

Of the 16 conflict-related deaths, 15 were the result of opposition action (the victims being five police officers, six government supporters or workers, and five unaffiliated citizens). For the 16th and final conflict-related death, responsibility is yet to be determined (and may be the result of cross-fire). As to the 18 deaths not directly related to the conflict, four were opposition roadblock

operators that died as a result of accidents or internal disputes unrelated to the goals of operating or defending the roadblocks. The remaining 14 were as follows: two were duplications of listed deaths, one was due to natural causes, one was due to a traffic accident at a roadblock, one was a hate crime, and the balance were unrelated violent crimes.

In sum, the cases known to be directly related to the conflict, opposition action killed ten government-affiliated persons and five unaffiliated civilians, with responsibility in the 16th case yet to be determined (and possibly the result of crossfire). In two additional cases, it is not yet known whether or not they were directly related to the conflict.

The following details the individual deaths in categorical order: first, those deaths directly related to conflict action; second, those for which there is no determination yet as to whether the result of conflict actions or not; and third, those reported by opposition-affiliated human rights organizations that have been determined to be unrelated to conflict actions. Within these categories, the listings are arranged by the department or sub-region within which they occurred.

Deaths directly related to the conflict

Boaco Department:

1. Violeta del Socorro Campos (age 71), a school teacher, died of renal failure in a Boaco hospital after having missed a dialysis session in Managua due to being delayed at a roadblock (May 14)
2. Lilliam Jaqueline Martínez Valerio (age 18) who was being transported from the Las Esquipulas health post (in Matagalpa Department) to the regional hospital in Boaco city for an emergency childbirth condition when roadblock operators at La Cañada (in the municipality of San José de los Remates) delayed the ambulance for over three hours, resulting in death (May 15)
3. Pánfila Alvarado Urbina (age 80) was being transported from the Teustepe health post to the regional hospital in Boaco city for an emergency cardiac condition when roadblock operators at Empalme Boaco held up the ambulance for over four hours, resulting in death (May 20)
4. Jorge Gastón Palacios Vargas (age 30), a member of the Sandinista Youth, was killed by roadblock operators at Empalme Boaco in a confrontation over lack of free passage (May 26).

Chontales Department:

5. Teodoro Vidal Ruíz Arana (age 52), an FSLN rural program operator, was murdered at his ranch by roadblock operators (June 13)
6. José Ramón Sánchez Acuña (age 18), son of an FSLN member, was fatally stabbed in Barrio Rey Jesús in Juigalpa by operators of the nearby Juigalpa roadblock (June 10)
7. Richard Eliezar Thomas Aragón (age 19) was shot by roadblock operators at a roadblock in La Libertad municipality (June 19) and died of his wounds five days later
8. Hernaldo Sánchez Chavarría (age 53), an FSLN member, was killed by operators of the Juigalpa roadblock (wounded June 28/died of wounds July 31)
9. Luis David López Hurtado (age 24), a police officer, was killed by roadblock operators at La Ladosa in the conflict to clear the roadblock at Empalme Lóvago (wounded July 14/died July 18)

10. Víctor Alfonso Zeledon Savarria (age unknown), an unaffiliated truck driver from Las Banderas, was shot through the windshield of his quarry stone truck in the conflict to clear the Empalme Lóvago roadblock (July 14); the shooting occurred near Cerro San Martín (2 km west of Santo Tomás) and may have been crossfire given that the location is near where police officer Luis David López Hurtado (see above) was killed by opposition gunfire.

Rio San Juan Department:

11. Luis Emilio Bustos López (age 55), a police commander; and
12. Marlon José Requeses López (age 39), a police lieutenant; and
13. Lenín Ernesto Olivas Alaniz (age 29), a police officer; and
14. Faustino Téllez Vargas (age 52), a police officer; and
15. Marvin Francisco Ugarte Campos (age 49), a primary school teacher, were all killed in an armed attack on the police station and town hall in Morrito municipality by operators of the Empalme Morrito and Empalme Lóvago roadblocks (July 12)
16. Pedro Verónico Chavarría Espinosa (age 54), a volunteer judicial system ombudsperson, was murdered by roadblock operators from the El Triunfo roadblock (July 19).

Zelaya Central: No deaths as a result of the conflict.

Deaths not yet determined as to being conflict related

Boaco Department:

1. Martha Lezcano López (age 35), teacher & FSLN member, was murdered in the remote Montes Verdes community, Camoapa municipality while returning home from teaching class (Aug 24).

Rio San Juan Department

2. Francisco Ariel Zeas Orozco (age 25), a roadblock operator, was ambushed in Jerusalén comarca, San Carlos municipality, while traveling on a motorcycle between the Rotonda La Argentina road block in San Carlos municipality and the El Tule roadblock in San Miguelito municipality (June 6).

Deaths unrelated to the conflict

The ANPDH identification numbers are those found in its [report](#) released on September 2, 2018, which covers the period from April 19, 2018 through September 2, 2018.

Boaco Department:

1. Juan Carlos Arróliga Báez (age 40), was killed in a dispute amongst family members in his home in San Lorenzo municipality (June 24; ANPDH-252)
2. Erick Loáisiga Escoto (age 33), rancher, and
3. Deybin José Ruíz López (age 25), ranch hand, were both shot and killed in an intra-family property dispute at Loáisiga's remote ranch at El Coyal in San José de los Remates municipality (June 27; ANPDH-118 & 86)
4. Santiago Manzanares (age unknown), died of natural causes on the steps of the Catholic church in the centre of Boaco (July 2; ANPDH-398).

Chontales Department:

5. Gregorio Orozco Gatica (age 85), was murdered with a machete at Orozco's remote ranch at San Lucas in Acoyapa municipality (June 21; listed as #104 in ANPDH July 27 report, but retracted in September 2 report)
6. Néstor Emanuel Molina Tiffer (age 30), a member of a Managua criminal gang and roadblock operator, was shot to death in a dispute between roadblock operators at the Empalme Lóvago in San Pedro Lóvago municipality (July 1; ANPDH-351)
7. Liseth Argentina Guerrero (age 33), who was raped and murdered on the streets of Santo Tomás (July 11; listed in ANPDH July 27 report, but retracted in September 2 report)
8. Moisés Antonio Castellón Arrechavala (age 25), died in a traffic accident at a roadblock in Santo Tomás municipality (July 13; ANPDH-472)
9. Bruno Odahín Barrera Rocha (age 24), a Juigalpa resident, was shot to death while walking at night near Parque Ruben Dario (July 17; ANPDH-39).

Rio San Juan Department

10. Yamil Ronaldo Obregón Bustos (age 47), a hotel operator, was murdered in a sexual orientation hate crime in the urban area of El Castillo municipality (April 30; listed as #286 in ANPDH July 2 report, but retracted in September 2 report)
11. Pablo Roberto León Torres (age 39), an operator of the El Tule roadblock in San Miguelito municipality, was killed in a motor vehicle accident by another roadblock operator who was inebriated (June 1; ANPDH-473)
12. Jefferson Osmar Mena Rivas (age 27), from Ometepe, is alleged to have died in the opposition attack on Morrito, but the source (El Nuevo Diario) makes no such reference now, suggesting a case of mistaken identity with Marvin Ugarte in an earlier edition (July 12; ANPDH-181)
13. Miguel Benito Espinoza Báez (age 39), a mental illness sufferer, was murdered in his home in the remote Fátima comarca in San Carlos municipality (July 17; ANPDH-341)
14. César Augusto Rodríguez (age 55), a roadblock operator, was killed in the remote area of El Arapejo in El Almendro municipality in a dispute that involved the kidnapping of members of one group of roadblock operators by another (July 27; ANPDH-65).

Zelaya Central:

15. Pablo Dávila Ruíz (age 34), a repeat criminal offender, was shot to death in the village of Wapi in El Rama municipality (June 23; ANPDH-364)
16. Félix Abel Vargas Toledo (age 33), a roadblock operator was shot and killed by another roadblock operator in a dispute over toll proceeds at the Presilla roadblock in Muelle de los Bueyes municipality (June 26; ANPDH-129)
17. Abel Bermudez (age 33), same person as identified as Felix Abel Vargas Toledo and listed twice in ANPDH report (June 27; ANPDH-2)
18. Santos Enrique Reyes Téllez (age 40), a worker, was killed in a machete attack in the remote Dos de Oro sector of Nueva Guinea municipality (July 19; ANPDH-400).

6 Conclusions

Amnesty International has a history of producing controversial and unbalanced reports about Nicaragua that began soon after the Sandinista revolution defeated the Somoza dictatorship in 1979. As recently as 2017 it produced a report on the planned interoceanic canal, which exaggerated the opposition to the project and made little attempt at balanced coverage. An AI publicity video for the report was narrated by Gioconda Belli, a prominent opponent of Daniel Ortega's government who was originally a member of the opposition party, the MRS.

Amnesty International relies to a considerable extent on the work of 'human rights' bodies in Nicaragua which have a dubious track record, are hostile to the government and completely biased in their recording of human rights abuses. One of AI's main sources is CENIDH, the weaknesses in whose work have been [analysed](#) by Barbara Moore, a solidarity activist based in Granada. CENIDH's [fourth report](#) covers the period 19 June to 14 July. Its list of deaths in this period includes the names of police killed in both Jinotepe and Morrito, two of the most serious incidents of the conflict. However, in its analysis of events in Jinotepe (Carazo) on July 8, CENIDH pays no attention to the deaths of the police, which we describe in detail in Chapter 4 of this report. On the attack on the police station in Morrito, apart from saying that the state has 'criminalised' Medardo Mairena and Pedro Mena (since convicted of organising the killings), CENIDH simply lists the police deaths with no analysis at all. Thus even a casual assessment of CENIDH's work reveals it to be totally biased and selective in its approach, because it completely ignores violence that is indisputably carried out by the opposition.

Although AI does not directly cite reports from another group, ANPDH, the IACHR/CIDH and other international bodies which AI quotes do so. They seem completely unaware of ANPDH's historic record, [condemned](#) by Americas Watch and other commentators in the past (it was set up with \$3 million of US government funding in 1986, to aid the 'Nicaraguan Resistance', otherwise known as the Contras).

Nicaragua's official Truth Commission, the CVJP, has repeatedly called for dialogue with the 'human rights' bodies, with no response. Its attempts to do so are noted in its 'end of year message' reproduced in Annex 2 of this report.

Amnesty International, along with Human Rights Watch, has followed faithfully the narrative established by the Nicaraguan 'human rights' bodies and right-wing media, taken up by the IACHR, and then as a result followed by the Organisation of American States and the United Nations. The IACHR must carry a considerable share of the blame for this as the specialized body of the OAS in matters of human rights. The government invited it to investigate the violent events of April and determine whether repression had occurred. It made other approaches to the IACHR: for example, following the violent events in Jinotepe described in Chapter 4 of this report, it submitted a detailed report to IACHR on June 12.

The IACHR's bias became increasingly obvious. On the night of a controversial skirmish in Managua that ended a negotiated 48-hour truce, IACHR Director Paulo Abrao declared [his support for the opposition](#). The IACHR [ignored the opposition's widespread violence](#), despite the official submissions it received, and only reported on the defensive violence of the government. Not only was its report categorically [rejected by Nicaraguan chancellor Denis Moncada](#) as an 'insult to the dignity of the Nicaraguan people,' [a resolution to approve the IACHR report](#) was supported by only ten out of 34 member countries of the OAS.

Given this context, it was vital that Amnesty International took an independent view of the crisis in Nicaragua. Instead, AI has followed both the local bodies and the IACHR in recording only violence allegedly perpetrated by the Nicaraguan government. AI appears to see its role as examining solely the alleged violations by the state, without considering the violence [faced by](#) the state. This extraordinary approach was recognised as outdated as long ago as 1993, when the UN Human Rights Convention in Vienna explicitly recognized the role of non-state actors in human rights abuses (e.g. the 'Contra' in Nicaragua in the 1980s).

As Carlos Emilio López, a leading Nicaraguan human rights activist and legislator, [has pointed out](#):

'In 1993, with the approval of the Vienna Declaration of Human Rights, the subject of respect for human rights was re-conceptualized. For many years it was considered that only States should respect human rights, but that understanding is already out of date. The reconceptualization of human rights is that States must respect human rights but companies, churches, organizations must also do so, social organizations, oligopolies, the media, people as individuals. In other words, we are all obliged to respect human rights, not only State institutions.'

Thus, every time Amnesty International or the IACHR claim that the scope of their work excludes non-state actors, they are appealing to a theoretical framework that is more than 25 years out of date, washing their hands of abuses by political actors with whom they sympathize. Ironically, AI recognised this limitation itself in [a primer on human rights](#) it published in 2014. This pointed to the responsibility, in a conflict, of 'not only states but also other armed groups' to respect human rights. However, because AI fails to recognise that 'other armed groups' were present in Nicaragua, it artificially restricts its own consideration of human rights violations to those allegedly committed by the state.

Partly as a consequence, AI makes little or no attempt to reach a balanced judgment by investigating the real sequence of events, as we have demonstrated in this report (especially in the case of the murdered police officer Faber López Vivas). As an outside body with resources to carry out an impartial investigation, it was well-placed to do this and to overcome the biases shown by the local bodies and the IACHR. Chapter 5 of our report shows what such an unbiased investigation might reveal: a full, expert-led investigation could of course have revealed much more.

AI also fails to comply with accepted standards for recording and documenting human rights abuses, [published by Huridocs](#), which it was instrumental in creating. It omits facts that are inconsistent with its interpretation of events (e.g. the circumstances in which Faber López Vivas was shot, and other instances noted in our report). AI systematically minimises or excludes government documentation that contradicts their fact finding. In terms of monitoring, they depend overwhelmingly on politically biased local organizations, opposition activists and right-wing media reports.

In short, our report shows that AI gives a completely misleading and biased context to the incidents which it considers, is factually incorrect or incomplete in so many instances that the credibility of its methodology is completely undermined, and therefore that it completely fails to establish its case that there is **‘a strategy of indiscriminate repression’** on the part of the Nicaraguan government.

Such an approach is, of course, hardly surprising given AI’s track record and the fact that it has a prominent relationship with the self-described Nicaraguan ‘human rights defender,’ Bianca Jagger, who is a member of the ‘Executive Director’s Leadership Council’ for Amnesty International USA. Jagger is a long-time critic of Ortega and his government, whom she regards as a ‘murderous dictator’. Her political alignment is apparent in [the way she recently thanked](#) Donald Trump’s right-wing former UN ambassador, Nikki Haley, ‘for your courageous and unflinching support to the Nicaraguan people.’ In December [she praised](#) ‘US efforts to hasten Ortega’s exit’.

Most recently, Erika Guevara Rosas, Director of the Americas for Amnesty International, appeared [on a platform](#) provided by the opposition-supporting website, Confidencial. In the panel in which she spoke, no one seems to have offered a balanced description of the events that took place in Nicaragua in 2018, nor do they recognise the return to normality in Nicaragua in the later part of that year. Indeed Guevara Rosas is quoted as saying (this is in February 2019) that:

“Apart from the extra-judicial executions, crimes of persecution for political motives are being committed. People from the general population are being persecuted: farmers, students, feminists, journalists. They’ve used the entire state apparatus against the population.”

This is not, of course, the only occasion on which AI has been accused of bias on an international scale. For example, journalist Alexander Rubinstein has accused AI of [working in collaboration with US and UK intelligence agencies](#) in the 1960s. Human rights law professor Francis A Boyle was on the founding board of AI, and in [a trenchant and detailed criticism](#) he has said that at the top of AI:

‘...you will find a self-perpetuating clique of co-opted Elites who deliberately shape and direct the work of AI and AIUSA so as to either affirmatively support, or else not seriously undercut, the imperial, colonial, and genocidal policies of the United States, Britain, and Israel’.

Although Boyle is not referring directly to AI’s role in Latin America, the principles of his criticism certainly apply to AI’s work in Nicaragua. As Camilo Mejia showed, AI’s first report on the Nicaraguan crisis, *Shoot to Kill*, was riddled with similar faults to those described in Boyle’s article. It led Mejia to express his ‘unequivocal condemnation of Amnesty International with regards to the destabilizing role it has played in Nicaragua, my country of birth.’

Even with limited resources, and without expertise as human rights investigators, we believe that in this report we have put forward a compelling case that Amnesty International’s latest assessment, *Instilling Terror*, is no better than its first report on Nicaragua and appears to have paid no attention to the criticisms by Camilo Mejia and many others.

We therefore urge Amnesty International either to make a radical change in its approach to judging human rights issues in Nicaragua, or to desist from publishing further reports.

Glossary of acronyms

AI	Amnesty International AI page on Nicaragua: www.amnesty.org/en/countries/americas/nicaragua/
ANPDH	Asociación Nicaragüense Pro Derechos Humanos – a non-governmental ‘human rights’ organisation. Its origins as a US-sponsored agency during the 1980s have been described by Envio . See www.facebook.com/sociacionproderechoshumanos/
CENIDH	Centro Nicaragüense de Derechos Humanos – a non-governmental ‘human rights’ organisation See www.cenidh.org/
CVJP	Comisión de la Verdad, Justicia y Paz – official commission appointed by the National Assembly to investigate deaths and other aspects of the crisis See www.cvjp.org.ni/
DOEP	Dirección Operaciones Especiales Policiales – Anti-riot police
FCUN	Fuerza Ciudadana de Unidad Nacional – armed band led by Tomás Maldonado in Jinotepe See www.facebook.com/pg/FuerzaCiudadanaUnidadNacional/posts/
FSLN	Frente Sandinista de Liberación Nacional – Nicaragua’s revolutionary political party, currently in power
IACHR or CIDH	Inter-American Commission on Human Rights / Comisión Interamericana de los Derechos Humanos – established by the OAS / OEA in 1959 to ‘promote the observance and protection of human rights’ See www.oas.org/en/iachr/
IML	Instituto de Medicina Legal – the official body responsible for autopsies and forensic examinations in Nicaragua See www.poderjudicial.gob.ni/iml/
MRS	Sandinista Renewal Movement - a centre right social democrat political movement that formally split from the FSLN in 1994. See http://partidomrs.org/ Movement to Rescue Sandinismo - a political movement formed after splitting from the FSLN prior to the national elections of 2001. The two groups form an alliance referred to simply as ‘MRS’.
OAS or OEA	Organisation of American States / Organización de los Estados Americanos – representative body of the nation states in the Americas, excepting Cuba.
OHCHR	Office of the UN High Commission for Human Rights
UNAN	Universidad Nacional Autónoma de Nicaragua – in this report, this refers to the Managua campus
UNAN- FAREM	UNAN-Facultad Regional Multidisciplinaria – in this report, this refers to the Jinotepe campus
UPOLI	Universidad Politécnica, Managua
SILAIS	Sistema Local de Atención Integral En Salud (part of the Health Ministry)

Annex 1: Response from IML to cases raised by Amnesty International



**CORTE SUPREMA DE JUSTICIA
INSTITUTO DE MEDICINA LEGAL**

Informe sobre casos de fallecidos y lesionados en Informe de Amnistía Internacional

1. Caso de 3 varones muertos el 23 de Julio en Jinotega

Leyting Ezequiel Chavarría Pérez (16 años)
Bryan Odoniel Picado Blandón (22 años)
Benito Rodríguez González (34 años)

Amnistía Internacional alega que las autoridades rehusaron hacer las autopsias correspondientes de estas tres personas de quienes se alega que fueron víctimas de asesinato extrajudicial de parte de la policía y/o "paramilitares".

Respuesta:

El IML no recibió ni ha recibido comunicación de ninguna autoridad competente para realizar peritajes postmortem a las personas mencionadas.

2. Faber López Vivas, 30 años. Un policía asesinado el 8 de Julio en Diriamba supuestamente torturado por sus propios colegas policiales. Amnistía Internacional alega que la autopsia fue hecho para engañar a la familia encubriendo señales de tortura cuando un informe médico privado reportó heridas consistentes con la tortura. Aparentemente, la familia alega que Faber quiso salir de la policía y por ese motivo lo mataron.

Respuesta:

El cuerpo ingresa al IML el día 8 de julio procedente de Diriamba. Se le realizó autopsia médico legal, concluyendo que la muerte fue homicida producto de herida por arma de fuego penetrante en cara y tórax.

El cuerpo presenta 9 impactos por arma de fuego y no se encuentran datos de tortura, lucha o defensa.

3. Caso de Nelly Roque and Roberto José Cruz detenidos el 26 de Junio en Matagalpa. Alegan que no recibieron un examen médico luego de ser arrestados a pesar de ser heridos.

Respuesta:

Nelly Roque Ordóñez. Se recibió solicitud de autoridad competente y se le realizó peritaje médico legal el día 17 de agosto 2018 para valorar su estado de salud, en el cual se describe los resultados del examen médico y se concluye que no presenta alteraciones en su estado de salud.

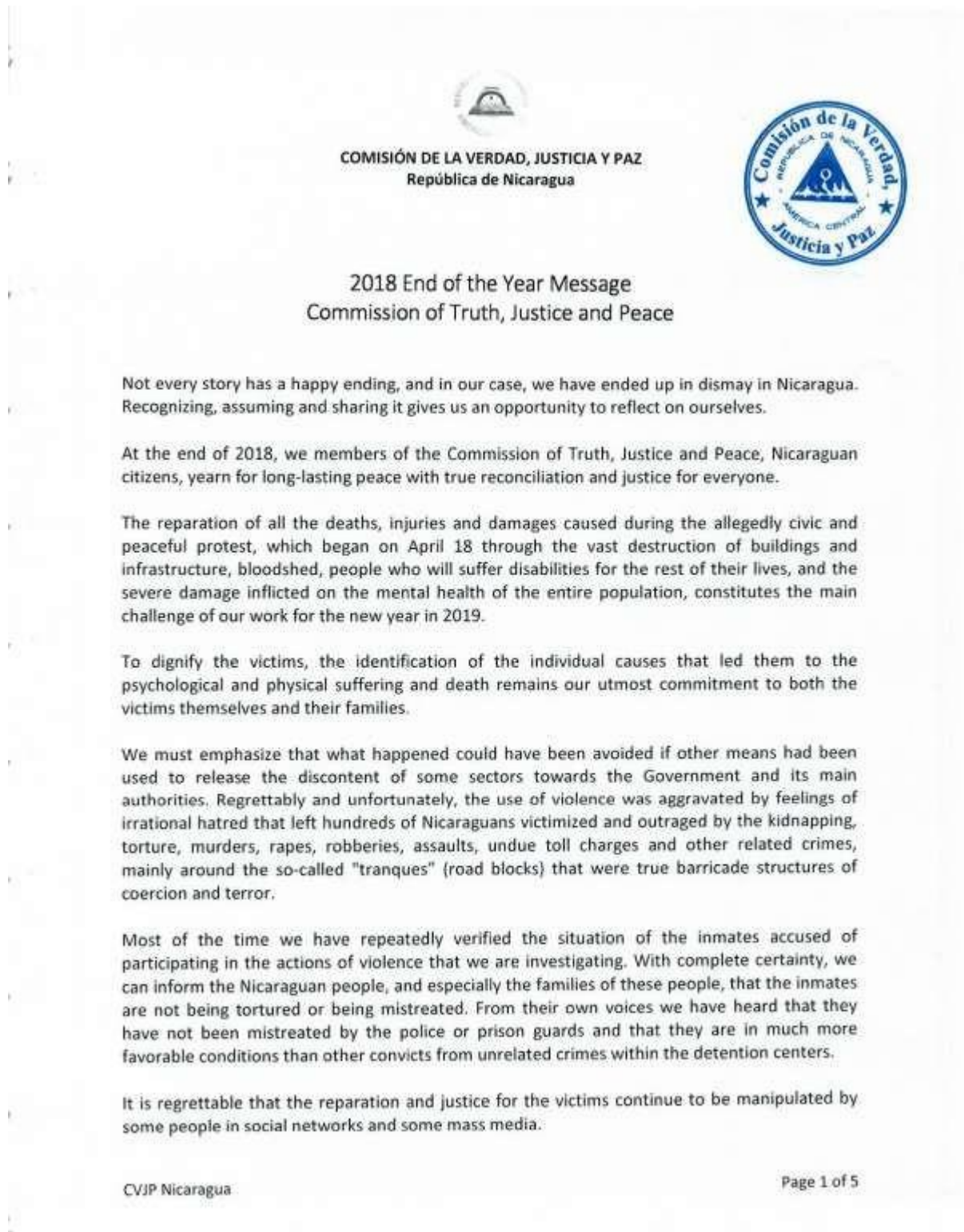
Roberto José Cruz Altamirano. Se recibió solicitud de autoridad competente y se le realizó peritaje médico legal el día 23 de octubre 2018 para valorar su estado de



CORTE SUPREMA DE JUSTICIA
INSTITUTO DE MEDICINA LEGAL

salud, en el cual se describe que cursa desde hace 9 años con lipomatosis (múltiples tumores benignos de tejido graso) y se concluye que es capaz de realizar una actividad normal, no requiere de cuidados especiales y se recomienda remitirlo a una unidad de salud en la especialidad de cirugía general para ser valorado y tratado por su patología. Esta patología no pone en riesgo su salud ni su vida.

Annex 2: End-of-year (translated) message from the official Truth Commission (CVJP)





COMISIÓN DE LA VERDAD, JUSTICIA Y PAZ
República de Nicaragua



We, as a trustworthy Commission, are still waiting to sit down with other similar organizations, such as local and international human rights organizations, so that we can review together the lists of the dead and injured victims and deliver a unified and verifiable number based on the result of a scientific and technical investigation work to both the nation and the entire world.

This Commission regrets and rejects the interventionism of other countries in the region and especially the Government of the United States of America, which contrary to the spirit of helping to find a peaceful solution and reconciliation among Nicaraguans, promotes instead an antagonistic political agenda against the legitimate interests of our country in violation of the sovereignty and self-determination of the domestic affairs in our Homeland.

It draws our attention in the middle of the rhetoric jungle that adorned the last meeting of the OAS the willingness to corroborate figures that contain the different reports of several organizations about the number of injured and deceased of our country. On this item it is necessary to explicate the following:

1. After Cardinal Leopoldo Brenes called to reconcile the figures published by this Commission and other organizations, we immediately embraced the challenge and invited those involved to share and carry out the desire of Cardinal Brenes.
2. No one answered our invitation assertively.
3. We gathered data from multiple websites of those organizations involved in publishing raw data on the number of victims at different random date ranges. So far none of the organizations has updated a new list of victims, limiting themselves to publish statistical cold figures.
4. We later presented an especial report on the subject matter during a press conference at the Crowne Plaza Hotel in September of 2018. Among other things, we asserted that we still lacked filters either to increase or decrease the statistical figures to determine the number of victims.
5. The press conference was covered practically by all the local and foreign press mainstream media accredited in our country to that date and, as at today, we have not yet received any comments about it.



COMISIÓN DE LA VERDAD, JUSTICIA Y PAZ
República de Nicaragua



It is questionable that the last report of IACHR did not recognize that the Government of Nicaragua was the object of an attack against its constitutionally legitimized democracy. A little common sense is only required to understand that it was not an attack by conventional weapons but rather through a covert campaign through a network of NGOs opposing the Government of Nicaragua that used the mainstream media and social media networks to manipulate the people to revolt against the Government institutions.

It is important to note the perverse role of the social media networks that, through the manipulation of values, information and misinformation, have been conformed in "a dam to democracy," of which some examples worthy to mention are the political elections in the United States, Brazil and the latest in Andalusia, without forgetting their nefarious contribution to convey hatred and anger in the movements of the yellow vests in France, the independentist movement in Barcelona among others; all of them, likewise in Nicaragua, have been the victims of that virtual reality so-called postmodernity.

Social media networks during the protests in Nicaragua, "were crucial to viralize through applications such as YouTube, Facebook and Twitter, particularly, content created with premeditation and treachery which objective was to connect with the feelings and emotions of Nicaraguans to generate inflamed and violent behavior against not only the government but also sympathizers of the governing party, and even insistent condemnation of those who hold neutral positions."

"Other instant messaging applications were used to viralize fake news about different aspects, which were then published in a number of accounts belonging to the media outlets, personalities linked to opposition organizations and even fake accounts aiming to further spread the content to position it at the international level on a denouncement basis. Cases like attacks by the Police that never occurred, the use of a plane to spray cities with Cypermethrin and the invasion of our country by foreign troops among other lies, were used to undermine the emotional stability of hundreds of thousands of Nicaraguans and inflamed anti-government and anti-Sandinista sentiments."

As expressed in previous reports of this Commission, as well as by the government authorities, "the figures presented by certain organizations at the local and international levels escape from the reality. However, the publications of fake news, videos and images that did not correspond to the demonstrations in Nicaragua have created a fertile ground to install matrices of opinion in groups with defined political positions." [1]



COMISIÓN DE LA VERDAD, JUSTICIA Y PAZ
República de Nicaragua



Some findings of our research into the field of mental health have confirmed that *"fear was the most constant and widespread feeling during the most relevant moments of the psychosocial conflict. It took characteristics of reality among the population, intentionally exacerbated by the creation, dissemination and manipulation of fake news such as the news of the intoxication of people by aerial fumigators that was constantly repeated maliciously by some mainstream media and social media networks without scientific proof or reliable sources, managing to maintain fear in the population, forcing at the same time the population to be in constant search of news related to the conflict that could threaten their safety or their own family, and maintaining the vicious circle of fear, search for news, greater fear and anxiety. The fear went from being individual to becoming collective and generalized, creating feelings of helplessness, vulnerability and lack of protection.*

This situation of fear and anxiety was experienced with greater intensity in the cities or areas where there were "tranques."

Symptomatic manifestations that do not necessarily end up as a psychiatric pathology per se are the most frequent, usually masked in various complaints ranging from fear, pain and other expressions as noted above." [2]

It is not necessary to be a subject matter expert to discern that our childhood is severely affected by these events, and that the unity and unanimity of all of us is needed to prevent further negative consequences in it.

This Commission relentlessly laments the erratic behavior of some bishops who are members of the Episcopal Conference of Nicaragua, which is far from the Christian spirit of love, justice, reconciliation and effective peace.

Nicaraguans, Brothers and Sisters: Through our distant and recent history, we Nicaraguans have demonstrated wisdom and willingness to overcome our differences of any kind. It is crucial to lay down intransigent and obsessive positions, which undermine our capacity for understanding and true reconciliation. As a Christian people, we also recognize the decisive role that forgiveness plays in us and we accept it to improve our personal quality of life. Forgiveness is an individual and unilateral act that quickly restores our inner healing and frees us from negative emotional burdens that are harmful to our soul.

Our call remains the same, let us together build the bridges of reconciliation for constructive and productive dialogue. Let us seek and follow peace, without which it would be impossible to move forward successfully into the future. Rebuilding our Homeland or it will command us.



COMISIÓN DE LA VERDAD, JUSTICIA Y PAZ
República de Nicaragua

Let us make 2019 a year of true openness in our hearts, being inclusive, authentic and prudent in search of permanent solutions.

Our best wishes to all and a New Year 2019 in peace, harmony, brotherly love, solidarity, forgiveness, reconciliation and restoration.

Commission of Truth, Justice and Peace

Managua, Nicaragua, December 28th, 2018

[1] Content in the Chapter on the role of social networks in the next report of the CVJP.

[2] Idem.

