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Challenges for the protection of Nicaragua's indigenous environmental defenders through national and international mechanisms

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Introduction

Indigenous environmental defenders in Nicaragua face massive challenges despite legal protection. This article argues that the fundamental role traditionally played by the defenders, is been threaten by the persecution of the Nicaraguan political regime -which has centralized political power, closed civic spaces, privileged extractive policies and disregarded resolutions of the main international human rights institutions-. Nevertheless, Indigenous resistance continues active, from their communities and from exile, with the hope of preserving their territories and their culture for future generations to come.¹

Land rights

The recognition of the right to territories traditionally and historically occupied by [National Assembly of Nicaragua \(1987\)](#) indigenous and tribal peoples was enshrined in the Nicaraguan Constitution in 1987 ([IACHR, 1983](#); [IACHR, 1984](#))², following proceedings initiated through the Inter-American Commission on Human Rights (IACHR) ([Inter-American Court of Human Rights, 2001](#))³. And during the implementation of the ruling in the *Case of the Mayangna (Sumo) Community of Awás Tingni vs. Nicaragua*⁴ -as the map of the National Demarcation and Titling Commission (CONADETI, for its acronym in Spanish) shows-; between 2005 and 2011, the State titled 23 indigenous territories,

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2 [Political Constitution of Nicaragua \(1987\)](#) arts. 5, 89 and 180.

3 [IACHR \(1983\)](#) and [IACHR \(1984\)](#).

4 [Inter American Court of Human Rights \(2001\)](#).

covering an area of 38815.99 km², constituting 31.45% of the total national territory of 130,000 km². However, the return of Daniel Ortega to power in 2007 has meant a concentration of political power and a weakening of the rule of law⁶ with deep-running implications for indigenous peoples.

Violations of indigenous Peoples's rights

The Nicaraguan State has ratified ILO 169 Covenant and the UN Escazu Agreement (UN, 2018), nevertheless, by Indigenous peoples are subject to an accelerated process of forced assimilation through different patterns. Such as, the armed invasion of Indigenous territories by settlers (The Human Rights Council, 2022). The extractive policies implemented without due consultation⁷. The imposition of government structures parallel to those legitimately elected by the communities; The cancellation of civil associations and confiscation of their property⁸. The persecution of independent media outlets, including the closure of community radio stations (National Assembly of Nicaragua, 2025). The relaxation of the constitutional⁹ and regulatory framework for the protection of the environment and its natural and cultural assets¹⁰; and, the criminalization of indigenous leaders, defenders of the environment and their territories.

Indigenous environmental defenders as targets

As GHREN¹¹ notes: "...the Government has shown that it considers indigenous and Afro-descendant communities as an obstacle to its political, economic and social interests and, therefore, has turned its members into a target of repression (GHREN, 2024, para. 462)"¹². Several Indigenous environmental

defenders: Dionisio Robins Zacarías and Donald Andrés Bruno Arcángel -both, active members of the Moravian Church and forest rangers in their communities of Saubí and Kibusna-, along with, Argüello Celso Lino, a school teacher and communal judge, and Ignacio Celso Lino, a communal trustee -in charge of overseen land tenure issues-, natives of community of Suniwás (Expediente Publico, 2021)¹³ have been sentenced to life in prison, and once in jail, tortured¹⁴.

Despite the IACHR granting precautionary measures in favor of these Indigenous environmental defenders¹⁵, the Nicaraguan regime has not followed it, in fact, the State has not obeyed any resolutions and judgments of the Inter-American Human Rights System, at list during the last 5 years. During the year of 2023, the Inter-American Court ordered for the environmental defenders' release, which the State also failed to abide¹⁶. Subsequently, the UN Working Group on Arbitrary Detention, stated, that it: "... is convinced that Indigenous Peoples defending their territory are being persecuted and intimidated... the indigenous people have repelled the settlers by exercising community resistance... in a peaceful manner, which is guaranteed by international human rights law"¹⁷. In addition, it calls for the State of Nicaragua to release and compensate the victims. However, till today, the Indigenous defenders remain imprisoned in cruel, inhuman, and degrading conditions¹⁸.

These defenders were condemned of the Kiwakumbaih massacre, in which, as is routinely the case, state authorities failed to investigate any of the non-Indigenous settlers and armed group leaders, identified by survivors as the actual perpetrators. Instead, they initially criminalized 14 community forest rangers¹⁹ and are currently persecuting 33 Indigenous rangers²⁰. Thus, after a decade of systematic attacks against these indigenous communities, there are 8 indigenous defenders convicted by the judicial system²¹ and 18 more imprisoned.²²

Likewise, Indigenous leaders have denounced that the arrival of gold mining companies in their territory coincided with the perpetration of massacres in the communities of Alal in 2020²³, Kiwakumbaih in 2021²⁴ and Wilú in 2023²⁵. Although the latter had protection measures from the IACHR, the State also failed to

5 CONADETI and CIDTs (2020) Executive Report, page 12.

6 IACHR (2021).

7 REPI's Report (2022).

8 IACHR (2024).

9 The constitutional reform, in its article 181, transforms indigenous and tribal peoples into mere usufructuaries, despite having been granted "Full Ownership Title over Communal Property" recognizing their rights of "ownership, possession, occupation, and usufruct." Therefore, the reform constitutes the confiscation of these peoples' property rights by guaranteeing them only usufruct. Law No. 1234, 2025.

10 Law on Environmental Conservation Areas and Sustainable Development, authorizes the carrying out of mining activities within legally protected areas. Law 1248, 2025.

11 On 31 March 2022, the Human Rights Council established through resolution 49/3 a group of three human rights experts on Nicaragua for a period of 1 year to investigate all alleged human rights violations and abuses committed in Nicaragua since April 2018. The mandate of the Group of Experts was extended by the Council through resolution 52/2 for a period of 2 years, and again through resolution A/HRC/RES/58/18 for an additional period of 2 years.

12 GHREN (2024) para. 462.

13 Expediente Publico (2021).

14 La Prensa (2023).

15 IACHR (2023). Precautionary Measures No. 738-22, paras. 15 and 16.

16 Inter-American Court of Human Rights (2023).

17 WGAD (2024) para. 89.

18 UDJ CALPI (2025).

19 OMCT (2021).

20 The National Police of Nicaragua (2023) and Confidential (2024).

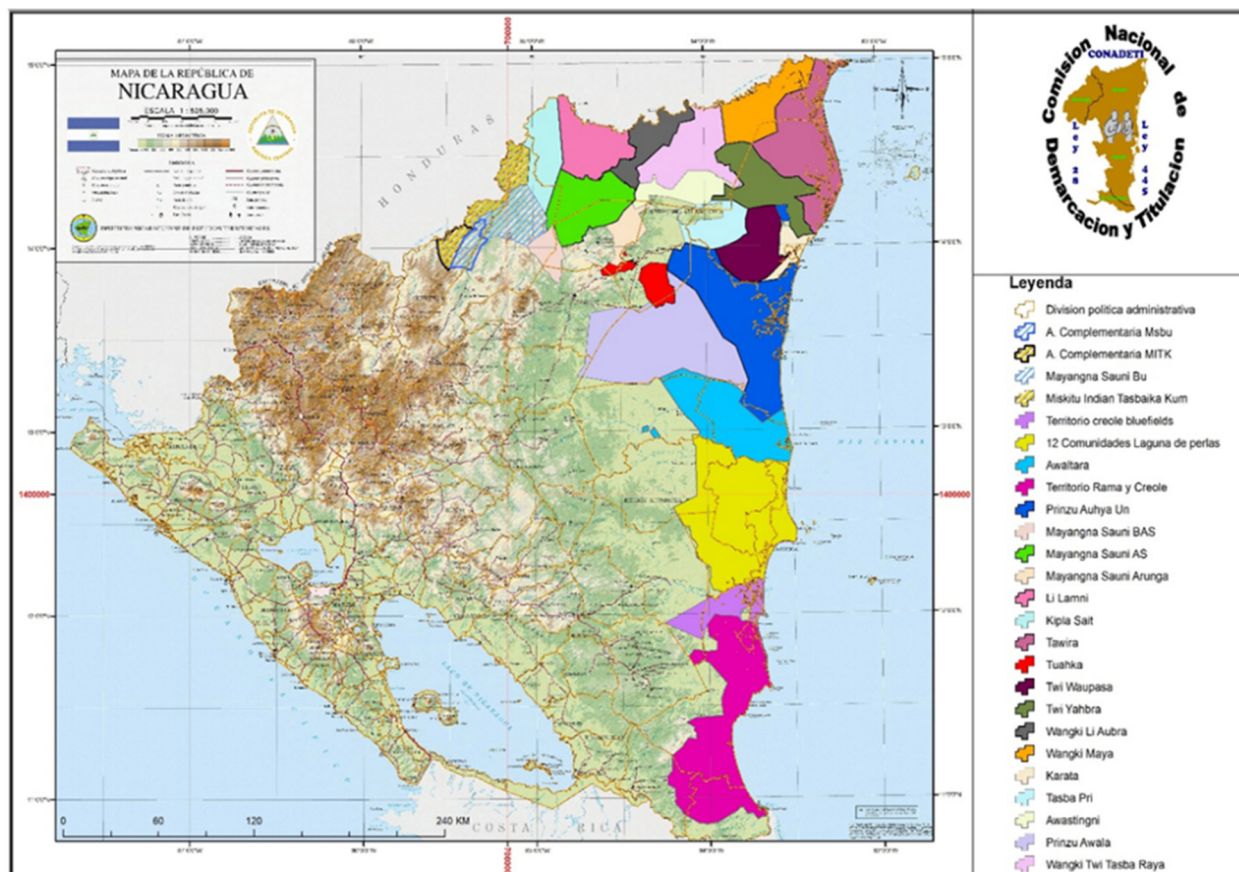
21 19 digital (2021).

22 Direct communication with members of the indigenous Mayangna Sauni As territory.

23 Confidential (2020).

24 Expediente Publico (2021).

25 Divergentes (2023) and OHCHR (2023).



implement them. Furthermore, The Government uses criminalization against Indigenous authorities, defenders and forest rangers, as a way to dissuade Indigenous community members from defending their territories (National Police of Nicaragua, 2021). In the context of a strong cultural and identity-based dimension, human rights violations and violence are clearly demoralizing and weakening the social fabric of their communities.

Consequently, Indigenous defenders are restricted from moving within their territories and prevented from entering the country. Brooklyn Rivera the leader of the Indigenous party YATAMA and member of the national parliament, has been enforcedly disappeared for more than 2 years, after entering the country despite a State prohibition; and his parliamentary alternate, Elizabeth Enriquez, was arbitrarily sentenced to 8 years in prison, along with the cancellation of YATAMA and the closure of its community radio stations²⁶. In order to weaken the indigenous political force, these events occurred before the Caribbean Coast elections carried out in 20 May 24²⁷.

The persecution against Indigenous defenders was already evident in 2013, the concession for the “Gran Canal Interoceánico de Nicaragua” the route of which would affect Indigenous and Afro-descendant territories was granted without prior consultations with these peoples (Inter-American Human Rights Court, 2024, para.497). In response, Indigenous authorities and leaders initiated the *Case of the*

*Rama and Kriol Peoples and Others v. Nicaragua*²⁸, which ordered the State to “observe due diligence guidelines in administrative or judicial processes that address threats to human rights defenders and/or community leaders ... as well as in relation to alleged acts of imposition by illegitimate governments or leaderships”²⁹. However, the imposition of parallel governments to those legally elected, and violence nonetheless continues. Several defenders and their families are in exile. As acts of resistance, they raise their voices from abroad³⁰; while others make efforts to cope with exile from their own worldview³¹.

Setback in the constitutional framework

Furthermore, a constitutional reform approved in early 2025 further concentrates power in the executive branch (IACHR, 2024), reducing the judicial system to become a mere “organ” under its control (National Assembly of Nicaragua, 2025)³². This effectively nullifies the already precarious national protection mechanisms,

26 Inter-American Court of Human Rights (2004) Provisional Measures.

27 IACHR (2025) para. 93.

28 Inter-American Court of Human Rights (2024) para. 497.

29 Ibidem.

30 Nicaragua Actual (2024).

31 CETCAM (2024).

32 Law on Partial Reform of the Political Constitution of the Republic of Nicaragua, Law No. 1234 (2025) arts. 132, 133, and 181. See also, statements related to the constitutional reform of OAS (2024), UN (2024), IACHR (2024), and PBI (2024).

leaving these peoples and their defenders as the only option of invoking the protection of international human rights law.

Conclusion

Despite the adverse and urgent situation, Indigenous defenders resist both on the ground as well as in exile, convinced that their territories and culture cannot survive otherwise. They continue to engage with the IAHRs as well as reaching out to UN special procedures, which have raised their voices regarding the plight of Indigenous defenders. Likewise, the OHCHR is closely monitoring the situation, and the Human Rights Council created the GHREN, which, since April 2018, has identified 54 senior government officials, including Co-Presidents Ortega and Murillo, as perpetrators of serious human rights violations.

Although the Nicaraguan regime has not been receptive to the actions of these international organizations, the extensive documentation compiled constitutes the basis for building historical memory and eventually achieving the right to truth, justice, reparation, and the guarantee of non-repetition in Nicaragua. Meanwhile, this documentation could also constitute the potential basis for initiating actions before the International Court of Justice and the International Criminal Court. Single measures, will not achieve the protection of indigenous environmental defenders in Nicaragua, it requires a comprehensive approach to truth, justice and reparation.

Author contributions

MA: Writing – original draft.

References

- CETCAM (2024). Agenda of action for the protection of indigenous women. Available online at: https://www.cetcam.org/wp-content/uploads/2024/09/Diptico_Esp.pdf (Accessed February 23, 2026).
- CONADETI and the CIDTs (2020). Executive report. Available online at: <https://drive.google.com/file/d/1UkFFAeE07HCmEKpVSPZxQdb1cs1vKNT5/view?usp=sharing> (Accessed February 23, 2026).
- Confidencial (2020). Regime guarantees impunity in massacre of indigenous communities. Available online at: <https://confidencial.digital/nacion/regimen-garantiza-impunidad-en-masacre-de-comunidades-indigenas/> (Accessed February 23, 2026).
- Confidencial (2024). Four Mayangna Indigenous rangers sentenced to 22 years in prison. Available online at: <https://confidencial.digital/nacion/condenan-a-22-anos-de-carcel-a-cuatro-guardabosques-indigenas-mayangnas/> (Accessed February 23, 2026).
- Divergenets (2023). This was the indigenous massacre in Wilú, on the North Caribbean Coast of Nicaragua. Available online at: <https://www.divergentes.com/asi-fue-la-masacre-indigena-en-wilu-en-la-costa-caribe-norte-de-nicaragua/> (Accessed February 23, 2026).
- Expediente Publico (2021). Nicaragua: police cover up for settlers, blame indigenous people for August 23 massacre. Available online at: <https://www.expedientepublico.org/nicaragua-policia-encubre-a-colonos-y-culpa-a-indigenas-por-masacre-del-23-de-agosto/> (Accessed February 23, 2026).
- Expediente Publico (2021). Relatives of victims are calling for an investigation into settlers for the indigenous massacre in Bosawás. Available online at: <https://www.expedientepublico.org/familiares-de-victimas-piden-que-investiguen-a-colonos-por-la-masacre-indigena-en-bosawas/> (Accessed February 23, 2026).
- GHREN (2024). Violations and abuses of the human rights of Indigenous and Afro-descendant peoples of the Caribbean Coast of Nicaragua. Available online at: <https://www.ohchr.org/sites/default/files/documents/hrbodies/hrCouncil/grhe-nicaragua/a-hrc-55-crp-7-sp.pdf> (Accessed February 23, 2026).

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- GHREN (2025). Institutions and individuals responsible for the main patterns of human rights violations and abuses; and crimes perpetrated in Nicaragua since April 2018. Available online at: <https://www.ohchr.org/sites/default/files/documents/hrbodies/hrCouncil/sessions-regular/session58/a-hrc-58-crp-8-s.pdf> (Accessed February 23, 2026).
- IACHR (1983). Report on the situation of human rights of a sector of the Nicaraguan population of Miskito origin. Available online at: <https://cidh.oas.org/countryrep/miskitoeng/toc.htm> (Accessed February 23, 2026).
- IACHR (1984). Spanish resolution on the friendly settlement procedure on the human rights situation of a sector of the Nicaraguan population of Miskito origin. Available online at: <https://www.cidh.org/countryrep/Miskitosp/Resolucion.htm> (Accessed February 23, 2026).
- IACHR (2021). Concentration of power and weakening of the rule of law in Nicaragua. Available online at: <https://www.oas.org/es/CIDH/jsForm/?File=/es/cidh/prensa/comunicados/2021/284.asp> (Accessed February 23, 2026).
- IACHR (2023). Resolution No. 20/2023. Precautionary Measures No. 738-22, D.R.Z., D.A.B.A., A.C.L. and I.C.L. with respect to Nicaragua. Available online at: https://www.oas.org/es/cidh/decisiones/mc/2023/res_20-23_mc_738-22_ni_es.pdf (Accessed February 23, 2026).
- IACHR (2024). The IACHR condemns the massive closure of civil society and religious organizations in Nicaragua. Available online at: <https://www.oas.org/es/cidh/jsForm/?File=/es/cidh/prensa/comunicados/2024/295.asp> (Accessed February 23, 2026).
- IACHR (2024). Nicaragua: IACHR condemns the approval of the constitutional reform that eliminates democratic checks and balances. Available online at: https://www.oas.org/es/cidh/jsForm/?File=/es/cidh/prensa/comunicados/2024/295.asp&utm_content=country-nic&utm_term=class-mon (Accessed February 23, 2026).
- IACHR (2025). Violence against indigenous peoples and people of African descent on Nicaragua's Caribbean Coast. Available online at: https://www.oas.org/en/iachr/jsForm/?File=/en/iachr/media_center/preleases/2025/220.asp&utm_content=country-nic&utm_term=class-inft (Accessed February 23, 2026).

- Inter-American Court of Human Rights (2001). The Mayangna (Sumo) awas tingni community Vs Nicaragua. Available online at: https://www.corteidh.or.cr/docs/casos/articulos/Seriec_79_esp.pdf (Accessed February 23, 2026).
- Inter-American Court of Human Rights (2023). Inter-American court orders the State of Nicaragua to immediately release four Mayangna Indigenous people held in 'La Modelo' prison. Available online at: https://www.corteidh.or.cr/docs/comunicados/cp_42_2023.pdf#:~:text=La%20Corte%20Interamericana%20de%20Derechos%20Humanos%20ha%20notificado,Modelo%E2%80%9D%2C (Accessed February 23, 2026).
- Inter-American Court of Human Rights (2024). Resolution, provisional measures for Brooklyn Rivera Bryan, Nancy Elizabeth Henriquez James, and their families with respect to Nicaragua. Available online at: https://corteidh.or.cr/docs/medidas/yatama_se_02.pdf (Accessed February 23, 2026).
- Inter-American Court of Human Rights (2024). The Rama and Kriol Peoples, Black Creole Indigenous Community of Bluefields et al. v. Nicaragua. Available online at: https://www.corteidh.or.cr/docs/casos/articulos/seriec_522_esp.pdf (Accessed February 23, 2026).
- La Prensa (2023). Regime subjects indigenous people convicted of Kiwakumbaih massacre to torture. Available online at: <https://www.laprensani.com/2023/01/31/nacionales/3100537-regimen-somete-a-torturas-a-indigenas-condenados-por-masacre-en-la-comunidad-kiwakumbaih> (Accessed February 23, 2026).
- National Assembly of Nicaragua (1987). The political constitution of the Republic of Nicaragua. Available online at: <http://legislacion.asamblea.gob.ni/normaweb.nsf/bbe90a5bb646d50906257265005d21f8/8339762d0f427a1c062573080055fa46?OpenDocument> (Accessed February 23, 2026).
- National Assembly of Nicaragua (2025). Ley N°. 1234, Ley de Reforma Parcial a la Constitución Política de la República de Nicaragua. Available online at: <http://legislacion.asamblea.gob.ni/normaweb.nsf/3133c0d121ea3897062568a1005e0f89/2798fee6dadc52b506258c360051e856?OpenDocument> (Accessed February 23, 2026).
- National Assembly of Nicaragua (2025). Law no. 1248, law on environmental conservation areas and sustainable development. Available online at: <http://legislacion.asamblea.gob.ni/Normaweb.nsf/9e314815a08d4a6206257265005d21f9/4284960a1789319806258c830051d0bf?OpenDocument> (Accessed February 23, 2026).
- National Police of Nicaragua (2021). Police present the perpetrators of homicidal deaths on the Pukna hill in Bonanza. On 19 digital. Available online at: <https://www.youtube.com/watch?v=bZnBpFzBbaI> (Accessed February 23, 2026).
- Nicaragua Actual (2024). Voices and realities of the indigenous peoples of the Moskitia Coast (Caribbean) of Nicaragua. Available online at: https://www.youtube.com/watch?v=C_sLfKcAAPw (Accessed February 23, 2026).
- OAS (2024). Statement from the OAS general Secretariat on proposed constitutional reform. *Nicaragua*. Available online at: https://www.oas.org/es/centro_noticias/comunicado_prensa.asp?sCodigo=C-091/24 (Accessed February 23, 2026).
- OHCHR (2023). OHCHR condemns lethal violence against Mayangna Indigenous communities in Nicaragua. Available online at: <https://www.oacnudh.org/oacnudh-condena-violencia-lethal-contracomunidades-indigenas-mayangna-en-nicaragua/> (Accessed February 23, 2026).
- OMCT (2021). Nicaragua: new massacre against indigenous defenders in the Bosawás Reserve. Available online at: <https://www.omct.org/es/recursos/llamamientos-urgentes/nicaragua-nueva-masacre-contradefensores-ind%C3%ADgenas-en-la-reserva-de-bosaw%C3%A1s?fbclid=IwAR1kLIFZG1r8o1wn3x4ZfqNYlicLL-nPldYSB9NcJLM8v7JKLlu4BIfAVDw> (Accessed February 23, 2026).
- PBI (2024). Statement of organizations on constitutional reform in Nicaragua. Available online at: <https://pbi-nicaragua.org/es/noticias/pronunciamento-de-organizaciones-sobre-la-reforma-constitucional-en-nicaragua> (Accessed February 23, 2026).
- REPI (2022). Mandates of the special rapporteur on the rights of indigenous peoples; the special rapporteur on the question of human rights obligations related to the enjoyment of a safe, clean, healthy and sustainable environment and the special Rapporteur on extrajudicial, summary or arbitrary executions. Available online at: <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=27541> (Accessed February 23, 2026).
- The National Police of Nicaragua (2023). List of 33 Mayangna indigenous people persecuted by the National Police. Available online at: <https://drive.google.com/file/d/1osnasPohVPR1XebF3uv5bJ24q2EE0LLs/view?usp=sharing> (Accessed February 23, 2026).
- UDJ CALPI (2025). From the forest to the cell: Miskito and Mayangna indigenous people suffer torture and cultural annihilation in Ortega-Murillo prisons. Available online at: <https://medium.com/@udjnicaragua/del-bosque-a-la-celda-ind%C3%ADgenas-miskitos-y-mayangnas-sufren-tortura-y-aniquilaci%C3%B3n-cultural-7f5d86007f54> (Accessed February 23, 2026).
- UN (2018). Regional agreement on access to information, public participation and justice in environmental matters in Latin America and the Caribbean. *Escazú Agreement*. Available online at: <https://treaties.un.org/doc/Treaties/2018/03/20180312%2003-04%20PM/CTC-XXVII-18.pdf> (Accessed February 23, 2026).
- UN (2024). The new amendment to Nicaragua's constitution will have dire consequences on human rights. Available online at: <https://news.un.org/es/story/2024/11/1534611> (Accessed February 23, 2026).
- UN. The Human Rights Council (2022). Group of human rights experts on Nicaragua (GHREN). Available online at: <https://www.ohchr.org/en/hr-bodies/hrc/ghrenicaragua/index> (Accessed February 23, 2026).
- WGAD (2024). Opinion no. 30/2024, concerning Ignacio celso lino, argüello celso lino, Donald Andrés Bruno Arcángel and Dionisio robins zacarias (Nicaragua). Available online at: <https://www.ohchr.org/sites/default/files/documents/issues/detention-wg/opinions/session100/a-hrc-wgad-2024-30-nicaragua-advance-edited.pdf> (Accessed February 23, 2026).