



The UIA Institute for the Rule of Law

STATEMENT

Paris, June 23, 2023

The UIA-IROL expresses its deep concern over the permanent suspension from the practice of law for 26 lawyers in Nicaragua

The UIA-IROL is deeply concerned about the May 9 and 11 ruling by the Nicaraguan Supreme Court to permanently suspend the right to practice the profession and hold the occupational title of lawyer for 26 lawyers and notaries¹ in the country.

The first lawyer deprived of her status on May 9 by the Supreme Court was Yonarqui Martínez. Her case is particularly alarming since she has also been the victim of temporary detentions, harassment and police intimidation, as well as threats and illegitimate abuses over assets.

Subsequently, on May 11, the same Supreme Court of Nicaragua, through two separate resolutions, suspended the right of 25 additional lawyers to practice the profession, requiring them to immediately hand over their titles, seals and identifications cards. The decision of the Supreme Court is especially egregious as the suspension is based on the fact that these lawyers do not have Nicaraguan nationality, and therefore are not entitled to be lawyers. The Supreme Court decision, however, ignores the false premise on which its decision is based – in another decision by other judiciary bodies rendered last February 2023, these lawyers were arbitrarily and capriciously stripped of their Nicaraguan nationality and declared “stateless” or “traitors to the homeland”.

The Supreme Court decisions, justified by the statement that the National Council of Administrative and Judiciary Career can decide on the suspension of the practice of law, are wholly without legal merit.

In line with its mission to defend the rule of law and particularly the legal profession, the UIA-IROL notes with grave concern that the victims of this decision are lawyers considered by the government to be critical of it and who are persecuted mainly for having defended, since 2018, political prisoners, individuals, or companies identified by the government as opponents. This deprivation of the status of lawyer, following the sentence to exile due to the withdrawal of their nationality is the culmination of a long-standing pattern and practice of persecution of these lawyers, causing physical, emotional and psychological harm and violating the lawyers’ fundamental rights.

The UIA-IROL, in turn, is seriously alarmed by the lack of judicial independence reflected by the actions of the Supreme Court of Justice of Nicaragua. In particular, we note that such decisions and actions by the Supreme Court are contrary to the principles and human rights that have been internationally agreed upon by the United Nations, as well as specifically declared by American and Inter-American

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organizations. Of particularly grave concern is the deprivation by the Nicaraguan judicial authorities of nationality of its citizen, an inalienable right in all civilized legal systems (see, article 15 of the [Universal Declaration of Human Rights](#), article 19 of the [American Declaration of Rights and Duties of Man](#), and article 20 of the [American Convention on Human Rights](#)).

The UIA-IROL strongly condemns all interference in the free development of the profession of lawyers in Nicaragua, as well as any decision politically based regarding the withdrawal of the nationality of its citizens.

The UIA-IROL, as a consequence of the above, joins other voices of the international legal community and **calls on the relevant Nicaraguan authorities and government to comply with their obligations regarding the rule of law and human rights, respecting the independence of the profession and the free practice of law. The Nicaraguan authorities and government are specifically called to:**

1. Take all necessary measures to **guarantee access and full exercise of the legal profession in Nicaragua**, as well as the security and integrity of the lawyers and public notaries that we name in this statement, regardless of the clients whom they represent.
2. **Protect lawyers in Nicaragua and especially human rights lawyers** so that they can develop their defense without any fear of reprisals, without restrictions, and with respect for the [United Nations Basic Principles on the Role of Lawyers](#), adopted in Havana in 1990.
3. **Guarantee and protect all the rights included in the right to due process.** This includes the right to a fair defense, to equality of arms and access to justice, to judicial decisions made independently, impartially and based on facts and law.

The UIA-IROL reminds that respecting international standards and obligations in matters of justice is not optional under treaties protecting fundamental rights and freedoms.

The UIA-IROL takes this opportunity to express its unconditional support for and solidarity with all Nicaraguan lawyers who, despite the risks, continue to assume their critical role courageously and fully to defend human rights and the rule of law in Nicaragua.

More about UIA-IROL

The Institute for the Rule of Law of the International Association of Lawyers (UIA-IROL) promotes the Rule of Law and supports and defends, in particular, (1) lawyers, judges and human rights defenders who are harassed, threatened and/or persecuted in the exercise of their professions, (2) the independence of the legal and judicial professions, and (3) the UN Basic Principles on the Role of Lawyers, especially in defense of human rights.

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