

SCHOLARS AT RISK

N E T W O R K

 protection  advocacy  learning

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Your Excellency:

On behalf of Scholars at Risk, I write to express our deep concerns over a series of recent measures adopted by the National Assembly that effectively dismantle the autonomy of a number of Nicaragua's leading academic institutions and threaten to harm Nicaraguan higher education in general. To ensure that Nicaraguan institutions can continue to function in an independent and healthy manner, I respectfully urge you to take any available action to protect the autonomy and academic freedom of these and all other Nicaraguan higher education institutions, guaranteeing that their management remains in the hands of the university community.

Scholars at Risk (SAR) is an international network of more than 500 universities and colleges in 42 countries dedicated to protecting the human rights of scholars around the world, and to raising awareness, understanding of, and respect for the principles of academic freedom and its constituent freedoms of expression, opinion, thought, association, and travel. SAR investigates cases involving alleged infringement of these freedoms, such as in Nicaragua, in hopes of clarifying and resolving matters favorably.

SAR understands that, on 2 February 2022, the Nicaraguan National Assembly voted to strip the operating licenses of Catholic University of Dry Tropic Farming and Livestock (UCATSE), the Polytechnic University of Nicaragua (UPOLI), the Paulo Freire University (UPF), the Popular University of Nicaragua (UPONIC), the Nicaraguan University of Humanistic Studies (UNEH), as well as nine other associations, on the basis of allegations that these institutions were guilty of administrative violations (i.e. failing to meet certain financial disclosure requirements). The universities dispute these allegations.

After stripping these institutions of their operating licenses, the Assembly passed legislation giving control of their operations to the government-run National Council of Universities, rebranding the universities, and unilaterally naming new university authorities.

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We are concerned that the severe actions taken against the universities and institutions, disproportionate to the technical nature of the alleged infractions, suggest not valid oversight but rather political retaliation. We note that university students, particularly those from UPOLI, played a leading role in 2018 protests against the Ortega regime. We further note that more than 350 Nicaraguans, many of them students, died in connection with the violent state suppression of the protests, and that no one has yet been held accountable for their deaths.

Absent information to the contrary, the apparent political retaliation against the universities and institutions raises grave concerns not only for those directly affected, but for the academic freedom and institutional autonomy of Nicaraguan higher education generally. Academic freedom and institutional autonomy are well-established and necessary components of quality research and teaching. They are protected by relevant international human rights standards, including the International Covenant on Civil and Political Rights (Article 19) and American Convention on Human Rights (Article 13), to which Nicaragua is a state party. In January 2022, the Inter-American Commission on Human Rights spoke directly to the importance of academic freedom and autonomy when endorsing the Inter-American Principles on Academic Freedom and University Autonomy. Through the principles, the IACHR emphasized that decisions concerning university leadership should be “free of undue partisan influence” and arrived at through “transparent processes that allow for the participation of the academic community concerned.”

We therefore respectfully urge you to take immediate steps to restore and safeguard academic freedom and institutional autonomy in Nicaragua, including by ensuring continuity of leadership within the universities affected, and taking available action to ensure that decisions regarding university leadership, governance, staffing, curriculum, and related matters are made by members of the university communities at issue. We further remind Nicaraguan authorities of their obligations under national and international law to respect academic freedom and institutional autonomy and call on them to demonstrate an unequivocal commitment to promoting and protecting the same.

I appreciate your attention to this important matter and look forward to your reply.

Sincerely,



Robert Quinn
Executive Director, Scholars at Risk

CC:

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