

17 June 2020

## **OPEN LETTER TO DANIEL ORTEGA, PRESIDENT OF NICARAGUA, SENT BY INTERNATIONAL ORGANIZATIONS**

We, the undersigned organizations, have been constantly monitoring the Nicaraguan government's response to COVID-19, declared a pandemic by the World Health Organization on March 11, 2020. We are writing to you to express our deep concern about the Nicaraguan government's failure to comply with international standards regarding the prevention and control of epidemics. In particular, we have observed a repeated lack of protection for health workers in the country, not only regarding their physical and mental health in the workplace, but also to their rights to freedom of expression and not to be unfairly dismissed from their jobs. As a State party to the International Covenant on Economic, Social and Cultural Rights (ICESCR), the Nicaraguan State has the obligation to verify that it has taken all measures to the maximum of its available resources to guarantee the right to health of its population and the right to just, safe and favourable working conditions for health workers.

According to information from the Citizen Observatory on COVID-19, since June 4, at least 16 people working in the public health sector in the cities of Estelí, Granada, Managua and Rivas have been dismissed by the Ministry of Health (MINSa). All the dismissed health professionals signed a public letter on May 17, urging the Nicaraguan government to take more serious steps to address the COVID-19 pandemic in the country, and calling on the Nicaraguan population to stay home and take precautionary and preventive health measures.

It is alarming that some of the people who were dismissed from their jobs received termination letters that did not contain the reason for the termination of their employment. In addition, some dismissals were carried out abruptly and without prior briefing or opportunity to defend against the dismissal. In this context, Amnesty International interviewed a doctor who noted that the hospital director simply said that her dismissal on 9 June was due to "higher orders."

The dismissed workers have not been able to return to their place of work and so far have not received compensation for dismissal. These layoffs are the latest in a series of workplace reprisals suffered by health workers since the beginning of the COVID-19 pandemic. These incidents have included the prohibition of the use of personal protective equipment (PPE) on several occasions, in addition to harassment and intimidation of health workers who have raised their voices about unsafe working conditions and adequate conditions for treating patients. These acts of intimidation have also been publicly denounced by the [Inter-American Commission on Human Rights](#) and the Office of the [United Nations High Commissioner for Human Rights](#). To date, 536 health workers have presented symptoms consistent with COVID-19, and 61 have died from COVID-19, according to [figures from the COVID-19 Citizen Observatory as of June 10](#). This organization, made up of a multidisciplinary team that carries out community epidemiological surveillance in the country, has registered 1,398 deaths from pneumonia and suspected COVID-19 cases, a figure that contrasts sharply with the figures published by the Ministry of Health which only registered 55 deaths per from COVID-19 as of June 10.

In this context of harassment and retaliation against health care personnel, it is important to emphasize that the principles of medical ethics are consistent with human rights principles and include the obligation to ensure that individuals make informed decisions about their health care. Although there are situations in health care settings where withholding information and maintaining confidentiality is important, especially when patient privacy is involved, ethical principles regarding physicians and nurses explicitly include the responsibility of medical personnel to report deficiencies in health care. International bodies that monitor professional standards in the fields of nursing and the medical professions have issued specific guidelines on the ethical obligation to speak out in the context of the COVID-19 pandemic.

In addition, it is very important that the voice of medical staff is heard and that their criticisms are valued and considered. According to the International Labour Organization (ILO), health workers need to be actively involved in dialogues on public health measures, especially since they are the ones who must implement those measures and who understand the practical needs and problems at hand. Also, UNAIDS, the UN agency on the HIV/AIDS pandemic, has shared lessons from the fight against AIDS that emphasize the imperative need to protect health workers and include their perspectives in any design of measures to combat pandemics. These guidelines and lessons should be implemented by your government, to ensure a response that protects the right to health of all people in Nicaragua.

Similarly, Article 5 of ILO Convention 158 on the Termination of Employment (1982) states that fair grounds for dismissal will not include any termination of a worker who has reported abnormalities in their working environment or to authorities.

The recent layoffs of health personnel have occurred against a backdrop of state repression that began in Nicaragua in April 2018 and continues to date. Within this framework, the undersigned organisations reject the repeated reprisals and intimidation against human rights defenders, including those against health professionals in particular. These acts include dismissals of several health professionals over the past two years, in addition to the police harassment reported by representatives of the Nicaraguan Medical Unit (*Unidad Médica Nicaraguense*), acts which continue to this day.

Considering the concerns raised, we urgently call on the Nicaraguan government to immediately cease acts of intimidation towards health personnel, including arbitrary dismissals of those who raise their voices to demand greater health protection and transparency in the context of COVID-19. Similarly, we call on the authorities to make effective the right of every worker to seek a remedy against dismissal, including the possibility of reinstatement in cases of unjustified dismissal.

In this context, we reiterate our interest in receiving official information on allegations of human rights violations that have become a constant occurrence in your country. Likewise, we urge you to stop the repression and the government policy that punishes with dismissals and harassment those health personnel who only ask for a comprehensive health policy in the face of the pandemic.

Sincerely,

**Amnesty International**

**Center for Justice and International Law (CEJIL)**

**International Federation for Human Rights (FIDH)**

**Just Associates (JASS) Mesoamerica**

**Mesoamerican Initiative of Women Human Rights Defenders (IM-Defensoras)**