

2 December 2020

Nicaragua: Ill-treatment of student rights defender John Cerna in prison

On 26 November 2020, a relative of human rights defender **John Cerna** visited him in Jorge Navarro penitentiary, also known as “La Modelo” in the city of Tipitapa, Managua. After the visit his relative reported that the student rights defender showed serious signs of physical and psychological torture, and that he was lacking adequate medical attention in the maximum security cell that was transferred to on 16 September 2020.

[John Cerna](#) is a civil and political human rights defender and a prominent student leader who is actively involved in pro democracy activism in Nicaragua. He is a member of the Movement for University Autonomy and the Student Defense Movement. Since April 2018 he has worked to give visibility to the human rights violations of students, of those killed during the crisis, and political prisoners. During this period, he has supported medical and health brigades, provided digital and physical security support, has been involved in efforts to support the crisis of enforced displacements, and helped provide training in student rights, human rights and university autonomy. The human rights defender was studying civil engineering at the National Engineering University (UNI), but he was expelled shortly before his graduation as a result of his active participation in student protests in 2018. In 2019, he returned to academic life at the Central American University of Nicaragua (UCA) where he continued to lead the fight for university autonomy.

On 26 November 2020, during a visit to La Modelo prison in the city of Tipitapa in Managua, a relative of John Cerna received complaints from the defender regarding the physical and psychological torture he is been subject to, as well as a lack of medical attention for the epileptic seizures he has faced, which have been exacerbated by the torture. Since his detention on 28 February 2020, the human rights defender has not received adequate medical assistant to treat his epilepsy, and has suffered as a result. While in prison, John Cerna has been outspoken about the unequal treatment of prisoners and has been involved in some incidents in which he has protested, shouted pro-democratic phrases and spoken openly about the situation of media outlets. As a result, on 16 September, John Cerna was transferred to a maximum security cell, where his physical and emotional health has been significantly impaired due to ill-treatment. On 2 November 2020, the Inter-American Commission on Human Rights (IACHR) granted precautionary measures to the human right defender in recognition of his serious medical condition. Since October 2020, John Cerna and other political prisoners in Nicaragua have been on hunger strike in response to the overpopulation in prisons, demanding better hygiene measures in the face of the COVID-19 pandemic.

On 28 February 2020 at 10:30 a.m. John Cerna was arbitrarily detained at his residence in the city of Managua. Upon his return home from UCA, he was met by three police officers who aggressively forced him into his apartment. Moments later, at least six police officers raided the student housing where John and four other students resided without a warrant. The human rights defender and his housemates were detained by the police officers, forced to sign a blank arrest warrant, and then transferred to the judicial office known as El Chipote in Managua.

As a result of the violent nature of his arbitrary arrest, John Cerna was left with a fractured rib and a dislocated shoulder, which have not been medically treated to date. On 28 February, the human rights defender’s housemates were released without charge. However, a case was opened against the defender on the fabricated charge of trafficking narcotic drugs and other substances.

On 1 March 2020, John Cerna's preliminary hearing was held in the Managua Court. The human rights defender was denied the right to choose his own lawyer and was instead assigned a public lawyer. On 12 March, during his initial hearing in the Managua Criminal District Court, the judge charged John Cerna with 'the trafficking of drugs and other controlled substances.' That same day, John Cerna's lawyer requested precautionary measures to be given to the human rights defender due to his serious health problems. On 17 April the judge issued an official letter to refer John Cerna to a doctor for medical examination. On 11 May, after several medical examinations, the Institute of Legal Medicine indicated that John Cerna had no health problems and the request for precautionary measures was dismissed. On 15 May, a criminal district judge found John Cerna guilty of drug trafficking and sentenced him to 12 years in prison and issued him a fine of 37,000 córdoba. On 28 May, the decision of the court first instance was appealed, however, on 31 August, the court of second instance confirmed the accusatory sentence. The case currently is in the process of appeal in the Court of Cassation.

Despite his young age, John Cerna has been at the forefront of the intense struggle to defend human rights in Nicaragua, during which he has been subject to multiple attacks and ongoing harassment. In 2018, the human rights defender was shot several times by the police, including once in the head, from which the bullet has not been possible to remove surgically. On 25 August 2019 police officers took photographs of him and registered his fingerprints while the defender was peacefully participating in a protest against human rights violations being carried out by the Ortega-Murillo government in Carazo.

Front Line Defenders is deeply concerned about the ill-treatment of human rights defender John Cerna, as it believes he has been criminalised and mistreated solely as a result of his peaceful activities in defence of human rights in Nicaragua.

Front Line Defenders urges the authorities in Nicaragua to:

1. Fully respect and comply with the precautionary measures granted by the IACHR to the human rights defender on 2 November 2020;
2. Immediately and unconditionally release John Cerna, and annul the conviction against him, since it is motivated solely by his legitimate and peaceful work in defence of human rights;
3. Guarantee that John Cerna's treatment in detention adheres to the conditions established in the 'Set of principles for the protection of all persons under any form of detention or prison' , adopted by resolution 43/173 of the UN General Assembly of December 9, 1988;
4. Take all necessary measures to guarantee and restore the physical and psychological integrity of John Cerna, in consultation with him;
5. Guarantee that all human rights defenders, in the development of their legitimate activities, including the right to protest in defence of human rights, can operate freely without fear of criminalisation or police brutality in Nicaragua.