



**International Covenant on
Civil and Political Rights**

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Human Rights Committee

**Fourth periodic report submitted by Suriname
under article 40 of the Covenant, due in 2020***

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Contents

	<i>Page</i>
List of abbreviation	3
I. Introduction	4
II. General information and responses to the concerns and recommendations of the Committee	4
A. General information	4
B. Responses to the principal subjects of concern and to the recommendations formulated by the Committee during consideration of the previous report	6
III. Dissemination of information regarding the Covenant, articles 1 to 27	19
Article 1: The right of self-determination and free disposal of natural wealth and resources	19
Article 2: Obligation to respect rights without discrimination and right to judicial protection	20
Article 3: Equal rights of men and women	20
Article 4: Public emergency officially proclaimed by State parties	21
Article 5: Not to interpret the treaty contrary to its objective	21
Article 6: Right to life	21
Article 7: Prevention of torture	21
Article 8: Slavery	21
Article 9: Right to liberty and security of person	22
Article 10: Humane treatment of persons deprived of their liberty	22
Article 11: Imprisonment for failure to fulfill a contractual obligation	22
Article 12: Right to freely move and choose a place of residence	22
Article 13: Expulsion of foreigners	22
Article 14: Right to fair trial, presumption of innocence, rights of suspects, compensation and <i>ne bis in idem</i>	23
Article 15: No <i>ex post facto</i> laws regarding criminal liability	23
Article 16: Recognition everywhere as a person before the law	23
Article 17: No arbitrary or unlawful interference in the personal sphere	23
Article 18: Freedom of thought, conscience and religion	23
Article 19: Freedom of expression	23
Article 20: No propaganda for violence	23
Articles 21 and 22: Freedom of assembly and freedom of association (trade union)	24
Article 23: Family protection and marriage	24
Article 24: Protection of children	24
Article 25: Right to participate in governance of the country without deprivation	24
Article 26: Non-discrimination	24
Article 27: Respect for minorities	24
IV. Closing remarks	25
V. Conclusion	25

List of abbreviations

CTI	Convention Against Torture Initiative
e.g.	for example
G.B.	Gouvernementsblad meaning the Official Gazette (before 1975, the year of independence of Suriname)
GDP	Gross Domestic Product
ICCPR	International Covenant on Civil and Political Rights
ID Cards	Identity Card
i.e	id est
ILO	International Labour Organization
IMF	International Monetary Fund
IOs	International Organizations
MoHA	Ministry of Home Affairs
NCDV	National Council on Domestic Violence
NGO	non-governmental organization
OHCHR	Office of the High Commissioner for Human Rights
S.B.	Staatsblad meaning the Official Gazette (after the independence of Suriname)
SBA	Stand-By Agreement
SRD	Surinamese Dollar
UN	United Nations
UNDP	United Nations Development Programme
UNFPA	United Nations Population
USD	United States Dollar

I. Introduction

1. In accordance with article 40 of the International Covenant on Civil and Political Rights (ICCPR), the Government of the Republic of Suriname hereby submits to the Secretary-General of the United Nations (UN) its fifth periodic report for consideration by the Human Right Committee.
2. The Republic of Suriname became party to the International Covenant on Civil and Political Rights by accession on 28 December 1976. Pursuant to article 40 of the ICCPR, the Republic of Suriname has already submitted three reports, of which the last one was the combined third and fourth report. This fifth report covers the period 2015–2020.
3. This report adheres to the general guidelines for the submission of periodic reports provided by the Committee. It furthermore takes into account the concluding observations provided by the Human Rights Committee during its consideration of the third and fourth periodic report of Suriname at its one hundred and fifteenth session. Replies by the Government of Suriname on the concluding observations of the Human Rights Committee and the follow-up to concluding observations are provided.
4. The Republic of Suriname has yet to submit an updated Common Core Document. In accordance with the reporting guidelines for States parties, this periodic report is a single document.
5. Chapter I contains the introduction and followed by after two main sections respectively chapter II and chapter III.
6. The first main section (chapter II) is entitled “General information and responses to the concerns and recommendations of the Committee”. It describes the general political structure of the country and recalls the framework in which human rights are promoted and protected. It also contains the responses of the Republic of Suriname to the recommendations formulated by the Committee during consideration of the third and fourth periodic report of Suriname.
7. The second main section (chapter III) relates to specific substantive provisions of the Covenant and reports on the progress made by the State in fulfilling its related obligations under the Covenant; chapter IV contains the closing remarks.
8. Chapter IV contains the closing remarks, followed by the Conclusion in chapter V.
9. The present report should be considered against the backdrop of several key political developments in the Republic of Suriname, since it submitted its periodic report in 2013. Following the combined third and fourth periodic report the Republic of Suriname has demonstrated that it continues its tradition of being a stable multi-party democracy with the successful holding of free and fair elections in respectively 2015 and 2020.
10. The Republic of Suriname also remains committed to the promotion and protection of Human Rights, Democracy and the Rule of Law. It can be stated that human rights and fundamental freedoms are guaranteed and protected by the Constitution.
11. Suriname informs the Committee that this report is produced based on an inclusive, transparent and participatory process, which involved society as a whole, for example (e.g.) by soliciting comments and input via the public and private sector which were consulted as well as civil society.

II. General information and responses to the concerns and recommendations of the Committee

A. General information

State of play of the Republic of Suriname

12. In 2015, Suriname experienced a recession. The Gross Domestic Product (GDP) contracted by 2.6% in that year, the contraction continued in 2016 with 5.1%. The backdrop

of the aforementioned lies in the cessation of bauxite production in the last quarter of 2015. Additionally, a sharp decline in the international prices of Suriname's main export commodities (gold and crude oil) contributed to the interruption of the experienced sustained growth of real GDP from 2001–2014 (averaging 4.4%). Relatively large fiscal and external imbalances, rising debt levels, and a drawdown of international reserves accompanied the economic decline. In 2016, Suriname signed a Stand-By Agreement (SBA) with the International Monetary Fund (IMF), however mid-2016, the first and second reviews of the SBA did not proceed. The Government has recently (January 2021) requested IMF financial support for its economic plan aimed at tackling the country's macroeconomic vulnerabilities and putting Suriname back on a path of strong, sustained, and equitable growth.

13. By 2017, the economy recovered with a growth of 1.7%. Growth of 2.0% was projected over 2018. Drivers of the economy are exports (oil and gold in combination with increased exports of timber and food products) and public investments in infrastructure financed by loans. Monthly inflation (year-on-year) declined from 48.7% in January 2017 to 9.2% in December 2017 and 5.4% up to December 2018, after spiking at 79.2% in October 2016 (attributed to higher costs for utilities and the exchange rate depreciation). After the currency depreciation of 102% from 2015 to 2017, the exchange rate temporarily stabilized at a range of USD 1 – Surinamese Dollars (SRD) 7.43–7.54, with a relatively low volatility of 0.27%. In September of 2020, the Central Bank of Suriname devalued the exchange rate of the SRD against the USD by about 90% to SRD 14.29.

14. A factual contextualization of the political, economic, social, and cultural circumstances is of essence when country-analyses are considered. Suriname, like many other countries in the sub-region and region is experiencing numerous challenges.

15. Suriname is particularly vulnerable to external shocks, among others:

1. economic, due to its economic resource base and the current regime of international trade and concessional development financing and;
2. environmental, due to the effects of climate change.

16. The implications hereof to the sustainable development goals and commitments of the Government of Suriname, at times are rather challenging. In addition, hereto, the Government of Suriname is also confronted with the immense task to restructure its economy and implement macro-economic – and relevant social reforms.

17. The COVID-19 pandemic gradually unleashed an unprecedented development crisis. The outbreak of the pandemic has put the country's public health –, social protection – and education system, environmental – (climate change adaptation), agricultural as well as other production sectors, under tremendous pressure. The newly elected Government of Suriname has instituted additional emergency measures, including a social protection system as well as targeted economic measures to support vulnerable groups in our society.

18. The Government is continuously monitoring, evaluating, and adjusting the measures to find the proper balance between the health of the people and the economy. This, despite the national and international financial constraints, in particular high national debt and the challenges in relation to access concessional financing.

19. The Constitution stipulates in article 8 para. 2 that: "No one shall be discriminated against on the grounds of birth, sex, race, languages, religion, education, political opinion, economic position or any other status". The keen awareness of these profound principles among the many ethnic groups has taught Suriname to peacefully co-exist by expressing tolerance, practicing respect for each faith, cultural background and the enjoyment of religious freedom.

20. Within this context, the Government of Suriname and The National Assembly (Parliament) establish laws and policies in a well-balanced manner in order to guarantee equality, promote national unity and ensure the indivisibility of the nation. The social and economic objectives of the Government are aimed at building a national economy benefitting the entire population, in which equality and social programs such as healthcare and education are accessible to each citizen.

21. As an expression of genuine respect and peaceful co-existence, the different ethnic groups celebrate the National Day of Independence in addition to holidays such as the commemoration of the Abolition of Slavery, Indigenous Peoples Day, Maroon Day, and Hindustani (East – Indian), Javanese and Chinese immigration. Suriname treasures its harmonious and interwoven multitude of cultures and religions as its greatest wealth. Suriname is a beacon of respect, tolerance and diversity; therefore, it is honored to share its way of peace with the world.

22. It can be stated that human rights and fundamental freedoms are guaranteed and protected by the Constitution in general, but more in particular in the chapters V and VI of the Constitution. The Republic of Suriname is party to the following United Nations human rights instruments, namely: the Convention on the Elimination of All Forms of Racial Discrimination, the International Covenant on Civil and Political Rights and its Optional Protocol, the Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child and its Optional Protocol on the sale of children, child prostitution and child pornography and the Convention on the Rights of Persons with Disabilities . It is noteworthy that Suriname is also party to regional human rights instruments.

23. A number of socio-economic challenges faced by Suriname, such as taking mitigation and adaptation measures in the context of climate change, the fight against poverty, collective (land) rights of Indigenous and Maroon tribal communities, illegal gold mining and the pollution of the environment, and combating crime, require a significant amount of more time and resources e.g. funding and technical expertise, to be addressed effectively. For these reasons, the Government of Suriname continues to work with national and international partners in an effort to respond to these challenges effectively.

24. While efforts have been made to strengthen data collection systems, the availability of appropriate qualitative and quantitative disaggregated data remains a challenge, particularly in the process of treaty body reporting. Information and communications technology, as well as the availability of resources play an important role in improving (regular) data collection.

25. The Government of Suriname acknowledges the need to move forward towards setting up an institution or mechanism to collect the necessary data for human rights reporting. In this regard, technical cooperation with OHCHR and other partners, as well as sharing of best practices, are welcomed in support of national efforts for implementation of and follow-up on recommendations by human rights mechanisms, including the Universal Periodic Review (UPR).

B. Responses to the principal subjects of concern and to the recommendations formulated by the Committee during consideration of the previous report

26. The responses to the recommendations on the follow up procedure which were sent to the Honorable Committee in 2016, are updated to reflect the actions undertaken by the State over the period of this report. The responses to the other concerns are responded to in chronological order.

Applicability of the Covenant in domestic courts

27. On 30 August 2019, the Act establishing the Constitutional Court (S.B. 2019 no 118) was adopted by Parliament and entered into force on 11 October 2019. The execution of this act was on 14 January 2020 (S.B. 2020 no 12). This Court is impartial and independent as are all courts in this country. On 7 May 2020, the chair, vice-chair, members and alternate members were sworn in. In accordance with the respective provisions of the afore-mentioned Act, the Constitutional Court consists of 5 full time members and 3 alternate members, all with appropriate qualifications.

Views under the Optional Protocol

28. At the office of the President of the Republic of Suriname, a Human Rights Unit, coordinates policy related matters and the promotion of Human Rights in Suriname. Various ministries are tasked with and/or involved in the implementation of the Human Rights conventions, judgments, views and other related issues.

29. In 2000, the Office of the Public Prosecutors, imposed a stay on the statute of limitations in the case concerning the so-called “8 December 1982 murder case”.

30. In November 2007, the trial in the so-called “8 December 1982 murder case” against Desiré Delano Bouterse, the former Commander of the Armed Forces, and 24 other defendants commenced. The trial has been halted a number of times, lastly by the Amnesty Act of 2012. In 2016, the High Court of Justice deemed this Act to be in conflict with the Constitution, which eventually led to the re-start of the trial. In November 2019 the verdicts were rendered, resulting in sentences ranging from ten to twenty years; a number of defendants were acquitted. Mr. Bouterse, who at that time was President of the Republic of Suriname, was convicted *in absentia* to twenty years imprisonment. The Court has not ordered his imprisonment, and he is currently appealing the verdict before the Military Court.

National Human Rights Institution

31. This paragraph updates the State’s submission of the follow up procedure of 2016. In 1985, the Decree National Institute of Human Rights A-18 (S.B. 1985 no 1 as last amended by S.B. 1986 no 17) entered into force. Unfortunately, the Institute was unable to function effectively since its establishment. In 2015, the establishment of the National Human Rights Institute was reintroduced in article 1, paragraph 3 B under o in State Decree, regulating the departmental tasks of the Ministries (S.B. 1991 no. 58 as last amended by S.B. 2015 no. 41).

32. In December 2016, the Ministry of Justice and Police launched the National Human Rights Institute. The planning was that a transition period would be arranged in such a way that the NHRI would comply with the requirements according to the Paris Principles.

33. The newly elected Government of Suriname is committed to establish and operationalize a National Human Rights Institute in accordance with the Paris Principles and initiated steps in this regard. This means that under the current Government the Institute will be established as an independent Institution. This Institute will deal with the promotion and protection of human rights in the country. A general Ombudsman will also be linked to this Institute. The Office of the Ombudsman will be divided into two divisions, being one for children and one for adults.

34. In the period 2016–2019, Suriname continued its cooperation with the human rights mechanisms of the United Nations through several capacity building activities, including:

- Capacity building training sessions and workshops in collaboration with the local UN country Office and the Office of the United Nations High Commissioner for Human Rights (OHCHR), in regard to the following treaties: Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the International Covenant on Economic, Social and Cultural Rights, Convention on the Rights of Persons with Disabilities and Convention on the Elimination of All forms of Discrimination against Women.
- In 2018 and 2019 workshops have been organized in the context of the Rights of the Child in cooperation with the local UN office (UNICEF). The participants of these workshops were government officials and NGOs representatives who work with children in situations of crisis.
- Cooperation with UN agencies and OHCHR in preparation of and participation in interactive dialogues with human rights mechanisms (Convention on the Rights of the Child, Convention of the Elimination of All forms of Discrimination against Women, Universal Periodic Review).
- Participation in the work of the Human Rights Council through the Voluntary Technical Assistance Trust Fund to support the participation of Least Developed

Countries and Small Island Developing States in the work of the Human Rights Council.

Non-discrimination and equality between men and women

35. The efforts to achieve equality between men and women in law and in practice in Suriname is an ongoing process.

36. In 2018, the Identity Cards (ID Cards) Act 2018, (S.B. 2019 no. 16) was approved by Parliament. This Act contains the rules for identifying citizens, manufacturing, issuing and withdrawing ID cards. With the entry into force of this law, the Identity Act of July 3, 1974 (G.B. 1974 no. 35, as amended by S.B. 2002 no.19) and the implementing regulation based on this law were repealed. The Identity Annex I (S.B. 1976 no. 10) has been withdrawn. In 2018 a working group was established to revise discriminatory provisions in the Personnel Act (G.B. 1962 no. 195, as amended by S.B. 1987 no. 93).

37. On 11 April 2019, the Employment Protection Act for parenthood/families was adopted in Parliament and entered into force on 18 June 2019, (S.B. 2019 no 64). This act regulates parental leave before and after childbirth. In July 2019 the Bill on Equality in Labour was tabled in Parliament.

Participation of women

38. To increase the participation of women in Parliament, several measures have been taken by various institutions.

39. In the past years activities were organized by several public institutions such as the Ministry of Home Affairs (MoHA) and the National Assembly whether or not in collaboration with Non-Governmental Organizations (NGOs) and International Organizations such as the United Nations Development Programme (UNDP) to discuss the possibility for introducing quota as a means to increase the number of women in decision-making positions. However, there are still different opinions on e.g. determining legal quota for appointments.

40. Within the framework of the general elections of May 2015, several activities were implemented to increase the participation of women in the political and public domain. The goal of these projects included mobilizing political parties to nominate more women as parliament candidates, for management positions or political administrative positions; strengthen self-confidence/self-awareness of politically active women within political parties/potential candidates; increase awareness on the importance of having more women (equal basis) in politics et cetera.

41. Some of the projects were:

- Project “More Women in Decision-making 2015”. During the general elections of 2015, the Parliament also carried out activities to increase the number of women in Parliament. such as the project “More Women in Decision-making 2015” with the purpose to mobilize commitment of political parties to nominate more women as Parliament candidates, for management positions or political administrative positions: strengthen self-confidence/self-awareness of politically active women within political parties/potential candidates (how to present yourself), increase awareness on the importance of having more women (equal basis) in politics.
- The “OokZij” Campaign of STAS International (2014–2015). The purpose of this campaign, which includes promotion materials, mass media profiling of female Parliament candidates, debates, was to increase public awareness on the importance of equal participation of men and women in decision-making and increase women share in Parliament seats to at least 30%. This campaign was partially funded by the MoHA.
- Awareness raising activities by Civil Society: NGOs and others also made efforts to raise awareness on the importance of women’s role in politics through discussions on strategies and more profiling of women during election periods.

42. As conducted after the elections of May 2015, the Bureau Gender Affairs has also sent an open letter to the new government, through mass media, calling upon the new government to nominate and appoint women on equal terms with men to various public decision-making positions. Activities regarding the thematic area power and decision – making are identified in the Gender Action Plan 2019–2020 of MoHA, to achieve e.g. an increase of gender balance in staff of electoral structures, awareness on the importance of equal participation of men and women to political parties and Surinamese society as a whole, gender-friendly polling stations. The Gender Action Plan also contains activities to increase women’s political participation and representation. A number of these activities were:

1. In order to achieve a gender balance within the various electoral commissions and structures a letter was sent to:
 - the Management Team Elections responsible for the organization of the elections of May 2020;
 - the Independent Electoral Council for encouraging a gender balance at the Independent Electoral Council and between the observers.
2. The development of slogans to promote equal participation of women and women in decision-making were developed to share with the wider community through social media.

43. The Bureau Gender Affairs of MoHA, regularly provides training and information sessions on gender and gender-related issues to various target groups on own initiative or at the request of organizations. In these sessions, gender biases and stereotypes regarding the roles and responsibilities of men and women in the family and society are addressed.

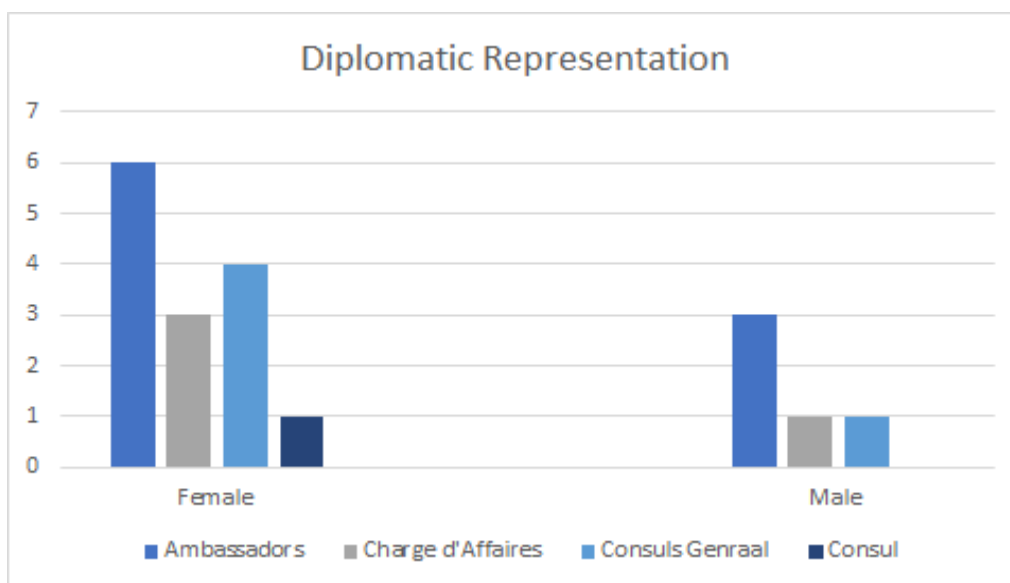
44. In March 2019, the UNDP and the MoHA signed the agreement for “Technical Assistance towards the 2020 Elections in Suriname”. Activities under the afore-mentioned agreement to be implemented include, capacity strengthening for relevant institutions, support towards the participation of women, the indigenous population and persons with disabilities, training sessions for the media and a voter outreach campaign. However, due to lack of finances and COVID-19 measurements some of these activities could not be implemented.

45. Despite the absence of laws that exclude participation of women, both national and international studies show that Suriname lags behind with the participation of women in decision-making positions. In the past years the trend of women’s participation is strongly fluctuating with no consistent and significant increase. Up to 2005, the proportion of women representatives in the Parliament rose from 18 to 22%. This changed drastically after the 2010 general elections when the percentage of women dropped to 10%. In 2015 the proportion of women representatives in Parliament rose to 25,5% again. In 2020 the proportion rose to 33%.

46. At the district level, seven of 19 District-Commissioners are women. With regard to women in district-level councils, there has been an increase from 31% (2010) to 35% (2015), while the proportion of women in the local councils rose to 35% (2010).

47. With regard to diplomatic positions, up to 2014 nine women headed a diplomatic post. The proportion of women in the Diplomatic Corps has declined: at the end of 2018 there were two female ambassadors and one female consul-general in Surinamese diplomatic service.

Figure I
Diplomatic Representative by Sex, February 2021



- As of February 2021, the diplomatic representation is as follows:
 - Diplomatic missions: total 58 persons, of which 20 males and 38 females.
 - Embassies: 12 and Permanent Missions: 2
 - Ambassadors: Female: 6/Male: 4
 - Charge d'Affaires: Female: 3/Male: 0
 - Consulates: 5
 - Consul Generals: Female: 4/Male: 1.
 - Dependence (Saint-Laurent-du-Maroni): Female 1

48. The proportion of women in higher government institutions has significantly increased, particularly in the Judiciary, the State advisory Council and the National Audit Office. The representation of women at the Court of Justice has changed drastically: the number of female judges increased to sixteen (16) in 2020, while the number of male judges dropped to thirteen in 2020. Women also dominate at the Public Prosecutor’s Office: fifteen (15) female public prosecutors versus two (2) male public prosecutors. In the recent election, 25 May 2020, sixteen (16) of the elected fifty-one (51) members of Parliament, are female.

49. With regard to female ministers, since 2015 there were five (5) women and as of May 2019 three (3) women in a cabinet of seventeen (17) ministers: Foreign Affairs; Education, Science and Culture and Sports and Youth Affairs. In July 2020, when the new government was established, the numbers of women in the cabinet Santhoki, increase to 6 female ministers in a cabinet of 17 ministers.

50. The proportion of women in higher government institutions has significantly increased, particularly in the Court of Justice, the State advisory Council and the National Audit Office. The representation of women at the Court of Justice has changed drastically: the number of female judges increased from one in 2000 to fifteen in 2019, while the number of male judges dropped from ten in 2004 to five in 2019. Women also dominate at the Public Prosecutor’s Office: 71% female public prosecutors versus 29% male share.

Table I
Percentage of Members of the National Assembly by Sex, 2010–2020

<i>Year</i>	<i>Sex</i>		<i>Total</i>
	<i>Male</i>	<i>Female</i>	
2010	88	12	100
2011	86	14	100
2012	86	14	100
2013	86	14	100
2014	86	14	100
2015	73	27	100
2016	73	27	100
2017	73	27	100
2018	69	31	100
2019	67	33	100
2020	71	29	100

Source: The National Assembly.

Table II
Percentage of ministers irrespective of their term of office by sex, 2010–2020

<i>Period</i>	<i>Sex</i>		<i>Total</i>
	<i>Male</i>	<i>Female</i>	
2010–2015	87	13	100
2015–2018	68	32	100
2020–	65	35	100

Source: Ministry of Home Affairs/Bureau Gender Affairs.

Table III
Percentage of Districts Commissioners by sex, 2010–2020

<i>Year</i>	<i>Sex</i>		<i>Total</i>
	<i>Male</i>	<i>Female</i>	
2010	73	27	100
2015	71	29	100
2018–2019	63	37	100
2020	61	39	100

Source: Selected Statistics about Women and Men in Suriname, 2019
<http://regionaldevelopment.gov.sr>.

Figure II
Percentage of Members of State Council by sex, 2010–2020

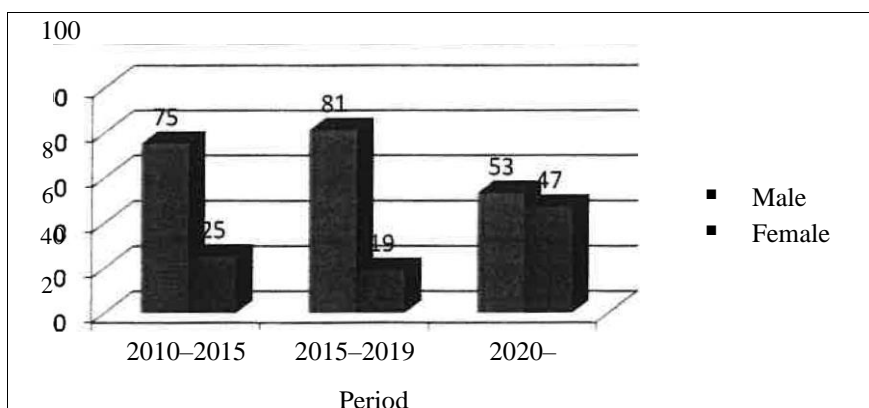
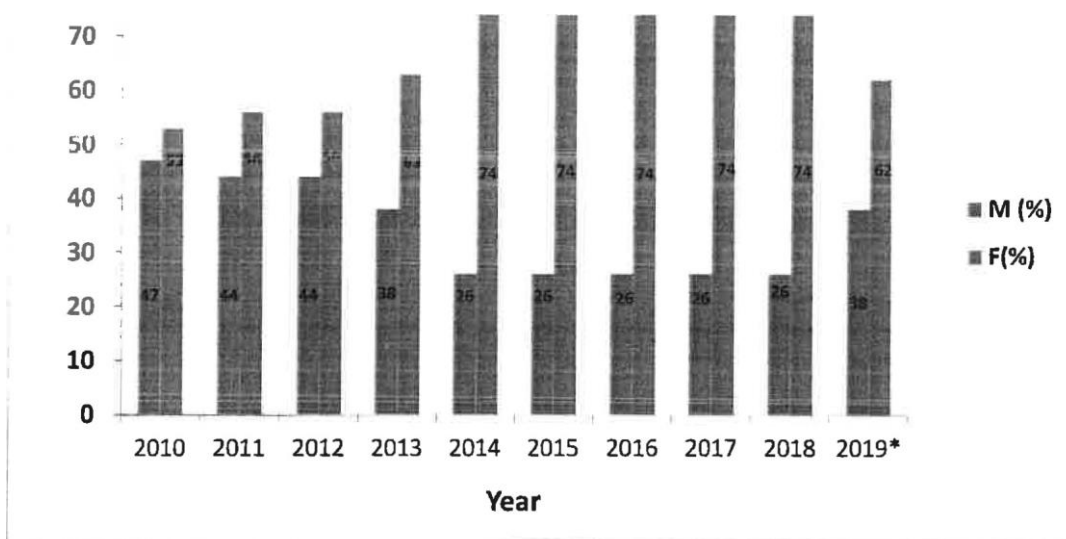


Figure III
Percentage of Judges by sex, 2010–2019*



Source: High Court.
* February 2019.

Minimum age of marriage

51. Suriname is committed to eliminate child, early and forced marriage by 2030 in line with target 5.3 of the Sustainable Development Goals.

52. In article 82 of the Civil Code the minimum age for marriage for boys has been established to 17 years and for girls to 15 years. Consultations between government and NGOs resulted in the amendment of the law on child marriage in the draft revised Civil Code. Consequently, the minimum age to enter into marriage for both boys and girls is raised to 18 years in the draft revised Civil Code. Additionally, the possibility for parents to request dispensation for child marriage is repealed.

53. Furthermore, the Penal Code sexual violence/rape within marriage is now recognized and sanctioned (2015). Also, sexual abuse of minors (age has been raised to 16 years) as a form of sexual intimidation has been defined as a criminal offence and the definition of sexual harassment has been expanded.

Public emergency

54. On 8 April 2020, Parliament adopted the Civil Exceptional Status Law in connection with the COVID-19 Pandemic. This law entered into force on 9 April 2020 (S.B. 2020 no 83) and would last for at most 3 months with the possibility of a 3 month extension (article 1 para

2). Article 6 of this Act stipulates that human rights cannot be limited during this period according to the ICCPR.

55. With the newly elected Parliament in office, on 8 August 2020, a Civil Emergency Execution Act (S.B. 2020, no 151) was adopted. The afore-mentioned Act will last for at most 6 months with the possibility of a 6 month extension.

56. This Act is a framework Act which can be used for all exceptional situations. These general rules reflect the importance of unequivocal in a State of Exception. The Act provides specifically how the regulations should be applied, the related responsibilities of the State and the limitations of their powers. In this manner, legal certainty is guaranteed, even in an exceptional situation. In accordance with the ICCPR, (article 4), the Inter-American Convention on Human Rights (article 27) and the Constitution (article 23) provisions are included with respect to the possibility to deviate from a large number of provisions of the respective treaties. However, it should be noted that the State of Exception is of temporary nature and should be applied as strictly necessary.

57. In accordance with article 128 of the Constitution of the Republic of Suriname, there will be a National Security Council, which can commence its work only after the competent bodies decided to declare the state of war, risk of war of martial law in the event of aggression and the proclamation of civil and military exceptional state. This Council will consist of the President, as President, vice-president, minister of Justice and Police, the minister of Defense, another member of the Council of Ministers, the Commander of the National Army and the Chief of Police.

Death penalty

58. The State i.e. the Ministry of Defense under the new administration acknowledged that the legislator must amend the Military Penal Code (G.B. 1975 no 173) concerning the death penalty for military personnel. The necessary steps were taken and as a result Suriname abolished the death penalty in the Military Penal Code in August 2021, following its abolishment in the Penal Code in 2015. With this progress, further steps can be considered towards ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.

Impunity for past human rights violations

59. This paragraph amends the State submission of the follow up procedure of 2016. In April 2020, the then fraction of the National Democratic Party in Parliament presented the revised Amnesty Act of 2012 to the Constitutional Court for review. The review is still pending. The process of the review by the Constitutional Court, neither influenced nor hampered the appeal of one of the defendants in the so called “8 December 1982 murder trial”, which commenced in November 2020 before the Military Court. (See also responses to Views under the Optional Protocol.)

60. The relatives of the 15 murder victims united in the Civil Society Organization named the “Foundation 8 December 1982 Murders” petitioned the Government to withdraw the revised Amnesty Act 1989 (S.B. 1992 no. 68, as amended by S.B. 2012 no. 49) or to declare it null and void.

Prohibition of torture and ill-treatment

61. On the 12 November 1987, Suriname ratified the Inter American Convention to Prevent and Punish Torture.

62. Over 30 Surinamese government officials participated in a roundtable discussion on accession and implementation of the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, held in Paramaribo, Suriname, on 20 October 2016. The then Minister of Justice and Police reinforced the country’s commitment to accede to the UN Convention against Torture.

63. Suriname acceded to the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) on 16 November 2021.

Gender-based violence

64. In regard to international domestic violence regulations, two treaties have been ratified. The first treaty is the U.N. Convention on The Elimination of All Forms of Discrimination against Women ratified by Suriname in March 1993 and the second treaty ratified by Suriname in February 2002 is the Belém do Para Treaty (the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women). Both conventions underlying the responsibility of the State concerning domestic violence.

65. The Bureau Gender Affairs (Ministry of Home Affairs) and the Bureau Women and Child Policy (Ministry of Justice and Police) among others, are holding responsibilities in the fight against gender-based violence and promotion and awareness raising of women's rights.

66. On national level, the Bill on Violence and Sexual intimidation in the Workplace was submitted to Parliament in July 2019. Previously, steps were also taken to combat violence against women and girls and several (awareness) projects were initiated:

1. The development and approval of a standard registration form domestic violence.
2. The judiciary hears requests for and renders protective orders in cases of domestic violence.
3. On 24 November 2015, an awareness campaign in the framework of HeForShe, Orange Day and Sixteen Days of Activism against Gender Violence was launched.
4. Several activities had been carried out such as statements and slogans on gender equality and violence against women in Dutch and *Sranan Tongo (Lingua Franca)* languages.
5. In June 2017, a National Council on Domestic Violence was set up to formulate the work plan for a comprehensive approach on domestic violence.
6. The finalization of the National Policy Plan "Structural approach Domestic Violence".
7. With regard to tackling domestic violence, the project "Gender Based Violence interventions in response to COVID 19 measures" is now in progress.

67. The Suriname Police Force has domestic violence units at different police stations across the country. The personnel of those departments are trained in investigating domestic violence, which means that those cases are thoroughly investigated. Perpetrators are being sanctioned according to the Penal Code of Suriname and according to the Domestic Violence Law. Victims of domestic violence have easier access to justice through this law. According to article 2 of this law a restraining order against the perpetrator can be requested. This restraining order can also be requested on behalf of the victim by family members, social workers, medical doctors, psychologists, police officers and probation officers who are indirectly involved. In most cases the victims are financially dependent on the perpetrators, which is often a reason why victims do not ask for restraining orders. Article 4 obliges that perpetrators continue to support the victims financially. This article further recommends therapy for the victims. Perpetrators can also receive counselling in order to change their behavior.

68. Currently, there is only one government shelter for women victims of domestic violence and their; legal / emotional guidance when requesting a protection order, visiting children up to 12 years old. For safety reasons this shelter is located at a secret address. The shelter provides practical guidance (when visiting the police, family doctor, emergency room if necessary and for making appointments with the employer and transportation of the children to school); emotional guidance through conversations the court, prosecution office or the Bureau for Family Law Affairs.

69. The services provided by the shelter are evaluated regularly for improvement. There are two bureaus for Victim Aid (one in the district of Paramaribo and one in the district of Nickerie). There are three Centers for Reporting Child abuse (Meldpunt Kinderbescherming) located in the districts Sipaliwini (Apoera), Coronie and Paramaribo. The Child Help Line

123 was also set up in 2007 for children and youth if they are confronted with violence. This help Line was available from 8.00 – 16.00 hours. With the support of UNICEF this Child Help Line was upgraded to a 24 hours Help line for children and adolescents.

Arbitrary arrest and ill-treatment of lesbian, gay, bisexual, transgender and intersex persons

70. In Suriname there is no arbitrary arrest and/or ill-treatment of the members of the lesbian, gay, bisexual, transgender and intersex community. When one of these community members is arrested by the police, it is not because of their sexual orientation, but because they are suspected of committing a crime.

Trafficking in human beings

71. As reported over the past five years, human traffickers exploit domestic and foreign victims in Suriname and abroad. Reported cases of trafficking in humans in Suriname's remote jungle interior, which constitutes approximately 80% of the country, have increased in recent years. Limited government presence in the interior renders the full scope of the problem unknown.

72. Awareness programs on trafficking are being carried out for Maroon communities and women and girls in the interior. These programs are broadcasted in the languages Dutch, Sranan Tongo as *Lingua Franca* and local languages of the Maroon communities, through radio stations which are popular among these tribes. In addition to awareness-raising activities on local radio stations, measures to combat trafficking included police patrols in remote parts of the country, sometimes in cooperation with the International Criminal Police Organization.

73. Counseling and other services were provided to trafficking victims in partnership with the country's psychiatric institute. Suriname has committed itself to combat human trafficking in all its forms, using an interdepartmental coordination structure with an approach in which the victim is central. For all victims of trafficking in persons, regarding sex or age there is a shelter that provides accommodation including food and other necessities.

74. In 2015 the State revised its Penal Code with regard to trafficking in persons. The revised law is more in line with the United Nations Convention against Transnational Organized Crime, including the Protocol to Prevent, Suppress and Punish Trafficking in Persons (especially Women and Children) and the Protocol against the Smuggling of Migrants by Land, Sea and Air. Through the amendment both sexes are protected against trafficking and the penalties have been extended especially when under-aged victims are involved. Except for the sexual exploitation other purposes of trafficking are included such as labour or services, slavery or practices similar to slavery and removal of organs. The maximum penalty for traffickers in and outside Suriname is life imprisonment according to the revised Penal Code. These penalties are made sufficiently stringent with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. Article 334 of the Penal Code criminalizes sex trafficking and labour trafficking and prescribes penalties of up to nine years' imprisonment and a fine of SRD 100,000 for offenses involving a victim 16 years of age or older, and up to 12 years' imprisonment and a fine of SRD 100,000 for those involving a victim under the age of 16. Within the police force there is the dedicated police anti-trafficking unit responsible for investigating such crimes. The judiciary is empowered to hand down sentences proportionate to the gravity of the offence.

75. In 2019 the government of Suriname has launched a national plan of action for the prevention and response to trafficking in persons under the pillars of "Prevention, Protection, Prosecution, Partnership and Policy". In several key areas the minimum standards for the elimination of trafficking were met. The government renewed the mandate of the inter-ministerial Trafficking in Persons Working Group for three years and approved a new national action plan in January 2019. For the first time, the plan included partnering with civil society, using metrics for specific goals, and receiving dedicated. Police provided trafficking awareness training to 20 diplomats for the first time since 2016. On international and regional level there are bilateral plans to widened cooperation against trafficking between Suriname and other states. The working group organized and funded a nationwide campaign in the languages of vulnerable communities aimed at encouraging the public to report

potential trafficking cases. Additionally, it held a training for civil society, NGOs, faith-based organizations, and the media on how to identify and report trafficking jointly with a foreign embassy. Furthermore, a new 24-hour trafficking hotline was launched. The police youth affairs department included trafficking information on the youth hotline in its outreach campaign to schools.

Judicial control of detention

76. This paragraph amends the previous State submission of 2016 to the Honorable Committee. In 2008, the State amended the Code of Criminal Procedure (S.B. 2008 no. 21) by reducing the period of custody from 14 (fourteen) to 7 (seven) days.

77. In an effort to facilitate the recommendation not to exceed the period of 48 hours of detention, article 54a of the Code of Criminal Procedure (S.B. 2008 no. 21) was amended to read in paragraph 2, that the detainee is afforded the right from the onset of his detention, to petition the investigating magistrate to order his immediate release, on the grounds that he has been unlawfully detained. In addition, hereto, both the detainee and the Prosecutor's office, may appeal the decision by the investigation magistrate with the High Court of Justice.

Access to counsel

78. Article 14 of the Code of Criminal Procedure deals with access to legal counsel. The government provides legal assistance and legal aid free of charge to the financially weak through the Legal Aid Bureau (Bureau Rechtszorg) of the Ministry of Justice and Police. Free legal assistance includes counseling services in all areas of law provided by legal officials, and if necessary, clients are referred to attorney at law who are paid by the government for their services. For example, in cases of domestic violence the Legal Aid Bureau provides legal assistance particularly to female victims and serves judicial sentences to the perpetrator through employed process servers. The Legal Aid Bureau aims to thus ensure the quality of legal assistance and aid provided.

Conditions of detention

79. The State continues to make efforts to improve the living conditions in the detention centers and prisons. In the detention centers there are detainees who have not been convicted yet, the so called pre-trial detention. Convicted persons are detained in prison. There is a designated police unit for the oversight of all the detention centers. The aforementioned unit is tasked with regularly conducting inspections at the detention centers with regard to standard of living conditions, maintenance, safety and hygiene. At the end of 2019, some of the detention centers in Paramaribo were partially rehabilitated. Currently most of the detention centers are in reasonable state. These centers have the most detainees because the largest part of the population resides in Paramaribo. In the detention centers women and girls are separated. The women are in the detention center at Geyersvlijt and the girls are in 'Opa Doeli', a transition home for minors. It should also be noted that there are some challenges with regard to separate prison facilities for women and minors. These women and girls are in the same facility. By building another prison facility the girls can be separated from the women, which is one of the future plans. With regards to the number of detainees from 2015–2020 see annex 1.

Psychiatric institutions.

80. The only mental health institution in Suriname is the mental health hospital, situated in Paramaribo. Admission is limited. Currently, there is a transformation of the social psychiatric care system. Keys for the future are prevention, decentralization of care and ambulatory treatment.

81. In 2017, a meeting on current models of mental health services delivery was held in Suriname. This meeting was organized by the Pan American Health Organization in collaboration with the Ministry of Health of Suriname, on 7–8 November 2017. The main objective was to gain insight into the current models of mental health services delivery in Suriname and identify facilitators and impediments for integrating mental health into primary health care. Participating organizations and government representatives from the four major

hospitals, the two NGOs that provide primary care services in the country, health care professionals, and representatives from the association of psychology, shared their experiences, programs, lessons learned and plans to integrate mental health into primary health care.

82. Suriname has a mental health policy comprising three health strategies: decentralization of psychiatric care, the integration of mental health services into primary care, and improving the mental health information system. Consequently, citizens, including patients diagnosed with psychiatric disorders, have access to national health insurance.

83. The Republic of Suriname recognizes that the law is obsolete and needs to be updated. This will also be one of the objectives of the transformation of this social psychiatric care system.

Administration of justice

84. Article 139 of the Constitution states that the judiciary is charged with the proper handling of all legal suits, which entails that judicial decisions should be timely, competent, efficient, fair, independent and impartial, with due observance of the rule of law and that these decisions should be promptly available to the interested parties. As such, the judiciary has a social mandate to protect the fundamental rights of citizens, which requires said judiciary be independent and impartial. It goes without saying that there should be sufficient safeguards in place to guarantee the independence and impartiality of the judiciary.

85. According to Surinamese law, the judiciary must consist of at least forty judges. At present, there are 29 judges, who deal with hearing all civil and criminal cases in the courts. Despite the quantitative deficit, the utmost of efforts are employed towards realizing citizens' right to a fair trial within a reasonable period of time, which is guaranteed by both the Constitution and the International Covenant on Civil and Political Rights and the United Nations Covenant on Human Rights, to which the State is a party. In order to assure swift and proper administration of justice, continuous efforts are being undertaken to increase the productivity and efficiency of the judicial system. Sizable Investments are made in training judges and qualified support staff. At present, there are 8 writing jurists who serve as clerks in the civil court, assisting judges in jurisprudence research and preparing drafts, thus increasing the output of legal decisions. At present, 10 jurists have been selected to undergo a 15-month training as writing jurist for the criminal court. The training will commence in the second half of 2021.

86. The Constitution guarantees everyone the right to access an independent, impartial and competent judge. This right is essential for a democratic constitutional state in which the protection of human rights is the standard. Therefore, the judiciary should safeguard and propagate the highest standards of conduct. An individual judge derives his authority not only from knowledge of the law and the quality of his legal decisions, but also from the fact that he adheres to established standards of conduct. In light of these principles, the Court of Justice adopted the Code of Conduct for Judges in June of 2015. This code of conduct is inspired by the Bangalore Principles of Judicial Conduct, which is a globally recognized code of conduct for judicial conduct. The function of the code of conduct is twofold. On the one hand, the code of conduct is intended as an instrument for a judge to reflect on and to improve his own performance. On the other hand, the code of conduct is intended to provide the public with insight into what it can and may expect from the judiciary and the functioning of a judge. In October of 2020, a complaints procedure was implemented, detailing the submission and handling of complaints about judicial conduct which does not adhere to the code of conduct. Both the code of conduct and the complaints procedure, have been made available to the public through the court's website.

87. As it is said, justice must not only be done, but it must also be seen done. One of the basic principles is that trials are public, and that the public should have insight in judicial decisions and verdicts. In April of 2019, the judiciary launched its own website www.rechtspraak.sr, which provides information on various legal proceedings and services rendered by the registry. The website also contains a database in which judicial rulings are published. Publication of legal decisions does not only increase the legitimacy and

transparency of the judiciary, but also contributes to legal education and research. As of February 2021, over 800 court decisions have been published.

88. The Covid-19 situation has presented a number of challenges for the judiciary, one of them being the limitations on the number of persons who can be admitted to public trial proceedings. In order to maintain guarantees for judicial transparency, facilities have been created, so that the press can follow trial proceedings in high-profile criminal cases in real time from a specially equipped press room in the court building. The judiciary is also working on making a few of the sparse judges available to provide legal explanation on verdicts in high profile court cases.

89. Up to now, court cases are tried in the capital of Paramaribo and in the city of Nickerie, in the western part of the country. This means that all cases, whether they be civil or criminal proceedings, are brought before the court in one of these two cities. The government is working on conditions to make it possible that trials may be held in other districts as well, thus truly bringing justice to the people.

90. On 18 December 2020, the acting President of the Court of Justice, having then served 6 years in that capacity, was sworn in as President of the Court of Justice by the President of the Republic of Suriname. Additionally, on the same day judges and alternate judges were sworn in bringing the total of judges to 29. The law requires 40 judges to serve in the country.

Freedom of expression

91. Article 19 of the Constitution states that everyone has the right to make public his thoughts or feelings and to express his opinion through the printed press or other means of communication, subject to the responsibility of all as set forth in the law. In the World press freedom index 2020, Suriname ranks at number 20 out of 180 countries where journalists have the least to fear from limitation in their rights to freedom of expression. With few attacks on journalists and a varied media landscape, Suriname gets fairly good marks these days for its respect for the freedom to inform.

Birth registration

92. The requirement of every birth on Surinamese territory is the declaration at the Civil Registrar in the district of the birth irrespectively of the status (Surinamese, foreigner or illegal person) or residence of the parents. Thereafter the birth of the child is confirmed in the Register of Birth of the Civil Registry of that district and the year of birth.

93. Births within the capital, Paramaribo, have to be declared within three days at the Civil Registry, regardless of the status or residence of the parents. In the other districts the declaration should be done within 16 days, not including the day of birth, Sundays and holidays.

Corporal punishment

94. Although there is no specific legislation on corporal punishment in Suriname, this can be addressed on the basis of other existing laws and regulations. An example is that corporal punishment can be sanctioned by articles 360 through 364 of the Penal Code (maltreatment) and the law on Domestic violence. Children can be protected from corporal punishment on the basis of the existing laws and regulations in Suriname. However more control has to be carried out on the compliance of these laws and sanctions have to be imposed. Where necessary, the laws must be adapted, and the preconditions must be put in place. In addition, the drafting of a specific law has to be taken to Parliament. It is important to have a clear definition of corporal punishment in the law, taking into account the different cultures and communities of Suriname. The ministry already imposes sanctions on perpetrators of corporal punishment on the basis of the existing legislation for reported cases, until the specific law on corporal punishment will be adopted. In schools an awareness raising program is being conducted, particularly in the areas where there are child protection centers. During these sessions, information about several forms of violence (corporal punishment included) are presented and discussed with the children.

Rights of persons belonging to minorities

95. According to the Constitution of Suriname and the Mining Decree (S.B. 1986 no. 28 as amended by S.B. 1997 no. 44) all land and its natural resources belong to the Republic of Suriname.

96. With regard to ensure effective and meaningful consultation with indigenous and tribal peoples in decision-making in all areas having an impact on their rights, the Republic of Suriname has adopted and is intended to adopt some legislation to secure the rights of Indigenous peoples and Maroons such as:

- The Environment Framework Act (S.B. 2020 no. 97), in this Act the interests and role of Indigenous Peoples and Tribal Communities are implicitly approached throughout the Act. The incorporation of the Free, Prior and Informed Consent (FPIC) principles secures the participation of Indigenous Peoples and Tribal Communities.
- In 2019 the Bill Collective Rights of Indigenous Peoples and Tribal Communities was presented to Parliament for discussion. The Bill on Collective Rights and especially the Explanatory Memorandum discusses the inclusion, status, role, responsibilities and FPIC principles of Indigenous Peoples and Tribal Communities in extend.
- The Bill Sustainable Nature Management (2018). The Bill Sustainable Nature Management speaks to the inclusion of Indigenous Peoples and Tribal Communities on various occasions such as the establishment of particular protected areas and as members of the Board presiding the SNA and Nature Preservation Commission.
- Mining Decree (S.B. 1986 no. 28 as amended by S.B. 1997 no. 44). According to article 25. (1) sub. b that applications for exploitation licenses must include a list of all Tribal Villages located in or near the requested concession.

97. Mining permits are given by the Government of Suriname within the Mining Decree. The mining permits are given in the interior for an area without villages.

98. Furthermore, mining cannot be performed within an area that will be selected by the government as an economic zone. This economic zone is classified as an important area for the villagers where different activities for their livelihood are/can be carried out such as forestry, small-scale mining, fishery and hunting. When mining rights are applied for, the Ministry of Natural Resources request advises from the District Commissioner. The Ministry acts on the basis of this advice.

III. Dissemination of information regarding the Covenant, articles 1 to 27

99. In the first part of this report the concluding observations provided by the Human Rights Committee during its one hundred and fifteenth session and the follow-up on concluding observations are discussed in detail. Thereby, the State demonstrates the mechanisms in place to monitor progress towards the full realization of several rights. For this reason, if they have already been discussed in the first part, the State will refer to the relevant sections when discussing the various Articles of the Covenant.

Article 1: The right of self-determination and free disposal of natural wealth and resources

100. In the preamble of the Constitution, we, the Republic of Suriname, are conscious of our duty to combat and to prevent every form of foreign domination, and resolved to defend and protect the national sovereignty, independence and integrity, and assured of the will to determine our economic, social and cultural development in full freedom convinced of our duty to honor and to guarantee the principles of freedom, equality and democracy as well as the fundamental rights and freedoms of man. These rights and freedoms are guarantee to everyone under State's jurisdiction including the Tribal communities.

101. The Indigenous Peoples and Maroons determine their own governance structure which is recognized by the State. The individual political and civil rights of Indigenous Peoples and Maroons are guaranteed by the Constitution and other domestic legislation. Political parties of Indigenous and Maroon participate in all general elections on national and local level. Currently one of the main political parties in government and represented in the National Assemblée is one of maroon origin. Therefore, the position of Tribal Communities in policy formulation and implementation has an integral approach.

102. A matter of discussion in Parliament remains the adoption of the collective rights. The Speaker of the House has underscored the need for adopting the Bill Collective Rights of Indigenous Peoples and Tribal Communities, which is supported by the State.

Article 2: Obligation to respect rights without discrimination and right to judicial protection

103. Chapters 5 and 6 of the Constitution of Suriname grant rights and freedoms to individuals that can be invoked directly. The same chapters also impose legal duties on the State regarding its obligation to respect and protect the fundamental rights and freedoms of all individuals, equally. Violations of basic rights are submitted to the Cantonal Court as a court of first instance and The Court of Justice in appeal cases.

104. The Constitutional Court has been established in 2019 by the act Constitutional Court (S.B. 2019 no. 118). It is tasked with reviewing laws on their contradicting nature with the Constitution and international conventions. The Court also has the authority to review and decide on challenged decisions of government bodies on the grounds of incompatibility with basic rights and freedoms. Suriname does not have an independent Human Rights Institute according to the Paris Principles as yet.

105. The State once again wants to highlight that Articles 137 and 106 of the Constitution grants the Judiciary full competence to rule in cases when domestic legislation is incompatible with the Constitution Chapter V or with self-executing provisions of fundamental rights and freedoms granted by international and regional Conventions.

Article 3: Equal rights of men and women

106. For the period 2019–2020 gender action plans have been developed, in close collaboration with the relevant ministries and NGOs, in which per priority concrete activities have been identified.

107. The gender vision policy is aligned to Suriname’s international and regional obligations to achieve gender equality and empowerment of women and girls; the Constitution of Suriname; the Development Plan of Suriname for the period 2017 – 2021 and the evaluation of earlier integral national gender policy plans. The identified priority areas for the period 2021–2035 are:

- Labour, income and poverty reduction
- Education
- Health
- Power and decision-making
- Gender-based violence
- Legal and regulatory framework
- Environment and climate change

The Gender Vision Policy Document 2021–2035 points the way to eventually achieve gender equality and equity in Suriname in the chosen priority areas.

108. The gender vision policy document contains long term goals to be achieved within five to fifteen years. Interventions and activities such as “the development of a

comprehensive strategy to promote participation of women in all levels of political and public life, among others by fixing legal quota for political appointments, accelerated recruitment of women in decision-making positions and providing financial incentives to political parties to include equal numbers of women and men on their lists of candidates” are identified to be achieved between five to ten years.

Article 4: Public emergency officially proclaimed by States parties

109. The Constitution of Suriname regulates the ordinance of a public emergency in chapters V, XII and XIV. The Republic of Suriname is not in a state of any armed conflict. With regard to the Pandemic we refer to the heading Public Emergency.

Article 5: Not to interpret the treaty contrary to its objective

110. The Constitution of the Republic of Suriname is in conformity with article 5 of ICPPR.

Article 6: Right to life

111. Suriname has abolished the death penalty in the Military Penal Code in August 2021, following its abolishment in the Penal Code in 2015 (see also the heading Death Penalty on the responses to recommendations).

Article 7: Prevention of torture

112. Article 9 para 2 of the Constitution states that no one may be submitted to torture, degrading or inhuman treatment or punishment. In 1987 Suriname has already ratified the Inter American Convention against Torture. Suriname acceded to the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) on 16 November 2021. The Convention entered into force for Suriname on 16 December 2021 in accordance with its article 27(2). Torture is not practice in the Republic of Suriname.

113. Article 3 of the Act Penitentiary and Detention Houses (S.B. 2020 no. 27) states that the detainee shall not be subjected to any restrictions in the exercise of his political, civil, social, economic or cultural rights other than those necessary for the purpose of the deprivation of liberty or in the interest of maintaining order, security or tranquillity in the facility. Furthermore article 25 of the same Act indicates the permissible disciplinary punishment.

Article 8: Slavery

114. The Constitution of Suriname in article 15 stipulates the prohibition of slavery. Additionally, penal measures applicable to slavery related offenses are explicitly regulated in the Penal Code, in respectively Title XIV (Indecency Offences, Art. 307 and following) and Title XVIII (Offences against Personal Freedom, Articles 334 and following).

115. It is noteworthy, that labour laws require that all employment agencies are licensed before recruiting domestic and foreign employees and must receive permission from the Ministry of Labour before entering into work mediation with employees. Labour inspectors received training to identify trafficking victims and were legally authorized to conduct inspections outside formal workplaces. However, the State is still in the process of providing sufficient manpower and capacity.

116. For other relevant legal and other measures, see also responses to recommendations under heading Trafficking in human beings.

117. A dichotomy between the Penal Code and practice exists, namely contrary to the Code’s provisions of in article 9 (1) (b) (2o) the measures pertaining to placement in a State

labour facility (labour or services) are no longer applied. The State is in the process of revising the Penal Code in this regard.

Article 9: Right to liberty and security of person

118. The Aliens Act 1996 provides that aliens are permitted to reside in Suriname for an indefinite period of time by the Ministry of Justice and Police. The law states that the aliens who come from a country in which they have well-founded reasons to fear persecution because of their religious or political beliefs or their nationality, or because of belonging to a certain race or social group, may be admitted as refugees, subject to the granting of a residence permit.

119. Suriname has between one thousand and fourteen hundred asylum seekers and refugees of various nationalities, mainly Cubans and Venezuelans. They are in the process or have been granted the status of refugee by the High Commissioner for Refugees (UNHCR) and are allowed to stay legally in Suriname for at least one year.

120. Furthermore, the law states that a foreigner, who is not a refugee, must nevertheless be granted a residence permit if – in view of the social and political situation in the country from which he originates and of his personal circumstances – he cannot reasonably be required to return to that country.

121. In November 2020, a total of 872 asylum seekers wanted to form a caravan to leave Suriname. These asylum seekers were preparing to leave as a group for the United States of America (USA) in the hope of building a better life there. The group, consisting of Cubans, Venezuelans and Haitians, would first join people in Guyana, who have the same intention, to travel on from there. However due to COVID-19, the border with Guyana is closed. The group of asylum seekers were provided humanitarian assistance by the State.

Article 10: Humane treatment of persons deprived of their liberty

122. Not only the Constitution but also other legislation, such as the Code of Criminal Procedure, prohibits inhumane treatment of persons deprived of their liberty. On 24 March 2019 a detainee died in detention and seventeen guards are being prosecuted. The Public Prosecutor demanded a sentence of two years imprisonment on 6 February 2021.

Article 11: Imprisonment for failure to fulfill a contractual obligation

123. In Suriname, nobody can be imprisoned for the breach of contract. The information provided in previous reports is still valid.

Article 12: Right to freely move and choose a place of residence

124. The information provided in previous reports is still valid, meaning that every citizen may move freely and choose a place of residence in the country.

Article 13: Expulsion of foreigners

125. Illegal foreigners are being extradited on the bases of the Immigration Law, while deportation is on the bases of bilateral agreements. The information provided in previous reports is still valid.

Article 14: Right to fair trial, presumption of innocence, rights of suspects, compensation and *ne bis in idem*

126. The information provided in previous reports is still valid, meaning that these rights of detainees are guaranteed in the Constitution and the code of Criminal Procedure, among others.

Article 15: No *ex post facto* laws regarding criminal liability

127. In Suriname, nobody is exposed to *ex post facto* laws. The State refers to its previous national reports of which the information is still valid.

Article 16: Recognition everywhere as a person before the law

128. The recognition of a person before the law is guarantee in various articles in the Constitution, the Civil Code, the Penal Code and other relevant legislation. The State also refers to its last national report to the Human Rights Committee. The details outlined in that report remains valid.

Article 17: No arbitrary or unlawful interference in the personal sphere

129. This protection against arbitrary or unlawful interference in the personal sphere is guaranteed in various national legislation, such as the Constitution (Article 17), the Civil Code and the Criminal Code (Articles 186, 435 and 320–325) of the Republic of Suriname. Within the legal system of Suriname, the authorities are competent to authorize interference in personal sphere. The remedies available to individuals, in case of a perceived violation of their rights under Article 17 of the Covenant, are provided by the Surinamese Criminal Code and Civil Code. In criminal justice a complaint may be filed with the Personnel Investigation Department of the Police Corps of Suriname (OPZ), the Procurator General and the appropriate criminal investigators. In civil law a claim can be brought before the District Court.

Article 18: Freedom of thought, conscience and religion

130. Both the Constitution and the Penal Code prohibit discrimination based on religion. Violation may be brought before the Judiciary. The Penal Code provides provisions that includes punishment for those who instigate hate or discrimination against persons based on religion is a criminal act under the articles 194 and 195. The State also refers to the information in the previous report which is still valid.

Article 19: Freedom of expression

131. Article 19 of the Constitution provides for the freedom of expression. Institutions, NGOs and international organizations work together to reach a state of active, independent and impartial press in Suriname. The Council of Ministers discussed a proposed Freedom of Information Act. There is no restriction on the right to freedom of the press. As of 2015, there are 4 daily and 4 online newspapers, 22 television stations, and approximately 48 radio stations. Two television stations and two radio stations are owned by the government. The State refers to the information in its previous report which is still valid.

Article 20: No propaganda for violence

132. Article 175 and 175 a of the Penal Code prohibits propaganda for violence. The Surinamese legislation does not permit any propaganda for violence.

Articles 21 and 22: Freedom of assembly and freedom of association (trade union)

133. Freedom of assembly and freedom of association is guaranteed by the Constitution but can also be restricted by law. Since March 2020, as a consequence of the spread of Covid-19 Pandemic, the Government had to temporarily restrict these rights by law in order to protect the public health of its citizens.

Article 23: Family protection and marriage

134. Article 17 para 1 and article 35 of the Constitution and other relevant legislation guarantee the Family protection and marriage. In the revised draft Civil Code, the marriageable age is eighteen years in conformity with the CRC. For the protection of Family life, it is also noteworthy to refer to the Act on Eliminating Domestic Violence.

Article 24: Protection of children

135. Children in Suriname are protected implicitly and explicitly by the following laws: The Constitution, the Penal Code, the Civil Code, the Act on Eliminating Domestic Violence, the Act on Care Institutions as well as the Children and Young Persons Employment Act.

Article 25: Right to participate in governance of the country without deprivation

136. Articles 53 and 54 of the Constitution guarantee the right to participate in governance of the country without deprivation. Every five year the Republic of Suriname organizes free and fair elections. The last election was held in May 2020.

Article 26: Non-discrimination

137. Ratification of three (3) International Labour Organization (ILO) Conventions namely the Conventions on Equal Remuneration, 1951 (No. 100), Discrimination (Employment and Occupation), 1958 (No. 111) both in 2017 and Minimum Age, 1973 (No. 138) in 2018. The implementation of these ILO conventions will entail more activities towards the full and equal participation of women in the labour market.

138. The acts on Collective Labour Agreement and Trade Union Freedom have been approved unanimously by the National Assembly in 2016. Preparations are being made with regard to setting up the second Decent Work Country Program (2019–2021). Suriname has implemented the first program (Decent Work Country Program 2014–2016) to the satisfaction of the ILO. This program has mainly resulted in both the adaptation of existing and the production of new labour laws.

Article 27: Respect for minorities

139. See the responses to the concluding observations 46/47.

140. The Bill Collective Rights of Indigenous Peoples and Tribal Communities was submitted to Parliament in 2019.

141. Most of the minorities live in the districts Sipaliwini and Brokopondo and Marowijne. In that regard it is good to report that: Through the Basic Education Improvement Program II it is planned to increase the percentage of students in the district of Sipaliwini that complete primary education on time (to grade 8) from 8 to 25%, and in the district of Brokopondo from 16 to 30%.

IV. Closing remarks

142. The Republic of Suriname has already integrated most human rights enshrined in the ICCPR in parts of its legislation and will continue to do so where necessary. However, the government is aware of the fact that the legal provisions are in itself not enough to make the best interest a primary consideration in the daily practices of service delivery and legal procedures. Therefore, the government tries continually to adapt its policies to the human rights standards. In this context it has also organized a number of training courses for relevant stakeholders, such as government officials, correctional officers, the police, prosecutors and judges, to raise awareness and strengthen skills to apply human rights issues in practice. Human rights education is being incorporated in the national curriculum, for the past 10 years. Textbooks are being produced by the Ministry of Education, Science and Culture for the primary level grades 4–6 (10–12 yrs.) mainly in the subject area History. The curriculum department is still working on developing new course material for the higher levels incorporating human rights issues.

V. Conclusion

143. The Government of the Republic of Suriname firmly states that it recognizes the fundamental human rights of any individual without distinction. It condemns racial discrimination and strives tirelessly to meet its international obligations, including its obligation pursuant to article 40 of the International Covenant on Civil and Political Rights, reasons why the State submits this fifth periodic report in one document.

144. The State continues its endeavors to address and implement all the recommendations and issues of concern communicated by the Committee. However, the State is fully aware that despite the significant progress it has gained, there are still some unmet issues, which is the reason why this document is not exhaustive and will most likely not comprise all aspects in the above-mentioned Covenant.

145. Nonetheless, taking into account the good faith effort of the State to comply with its obligation set forth in the Covenant, it will, if requested, be more than willing to supply in writing or orally any additional information with regard to the human rights situation, in particular civil and political rights, in the jurisdiction of the Republic of Suriname.
