



**International covenant
on civil and
political rights**

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HUMAN RIGHTS COMMITTEE

**CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 40 OF THE COVENANT**

SURINAME

**Replies by the Government of Suriname on the
concluding observations of the Human Rights Committee (CCPR/CO/80/SUR) ***

[5 May 2008]

* The replies of Suriname to the Committee's concluding observations are issued under the symbol CCPR/C/SUR/CO/2/Add.1, instead of the previous symbol (CCPR/CO/80/SUR/Add.1), in accordance with the definition of treaty body document symbols adopted in August 2005.

**Replies by the Government of the Republic of Suriname on the
concluding observations of the Human Rights Committee**

1. In its consideration of the second periodic report submitted by the Government of Suriname under article 40 of the International Covenant on Civil and Political Rights, the Human Rights Committee expressed concern in paragraphs 11 and 14 regarding respectively 'the treatment of people in custody' and 'lengthy pre-trial detention'.

2. The Permanent Representative of Suriname to the United Nations Office at Geneva, H.E. Henry Mac Donald, verbally reported progress on these two items to the Special Rapporteur of the Human Rights Committee, Sir Nigel Rodley, on 1 April 2008 in New York. The purpose of this communication is to confirm this report in writing.

Concern No 11:

3. The 'Complaints Desk', an Institution of the Ministry of Justice and Police which reports directly to the Minister, is authorized to deal with complaints of ill-treatment of detainees by police officers. This institution was established in May 2005 and operates along with the Central Inspection Institution of the Police which comes under the Chief Police Officer. The Complaints Desk is in charge of supervising compliance by police officers with their code of conduct. Both institutions follow up on complaints of police misbehaviour but are authorized to conduct investigations on their own authority and both liaise closely with the Attorney-General's Office in case there are reasons to suspect ill-treatment of a detainee.

4. Complaints about ill-treatment in custody are made either by the person held in custody or by any of his acquaintances. Statistics show that the following number of complaints of ill-treatment in custody have been dealt with by the Complaints Desk in the period 2005- 2007:

- Cases of violence – 136
- Use of coercion – 180
- Improper behaviour – 223
- Use of inappropriate investigation methods – 216 and
- Other instances of improper behaviour – 76

5. In instances where the complaints indicated punishable acts, those have been prosecuted by the Attorney-General and punishment was imposed by the Criminal Court. Both are independent authorities.

6. In other instances of violation of the Police Charter or code of conduct appropriate disciplinary measures are, depending on their respective authorities, taken by the Minister of Justice and Police or the Chief Police Officer. Compensation is subject to a judgment of the civil court. Human rights training has recently been included in the official training of enforcement personnel and a public prosecutor is now specifically charged with alleged human rights violations. Strict adherence to these regulations and practices should ensure a reduction of instances of ill-treatment caused by misbehaviour of police officers.

7. Available facilities for detainees however are still insufficient. Most locations are overcrowded. Measures are being taken to redress this situation as a matter of priority. A juvenile facility for boys was recently opened, existing facilities are being renovated and new facilities are being planned. The Ministry of Justice and Police is in the meantime implementing management practices to more effectively align arrest policies and available facilities.

Concern No 14:

8. On 22 January 2008, Parliament approved amendments to the Code of Criminal Procedures ensuring that detainees have to be brought before a judge within seven days rather than within 44 days after being arrested. These amendments came into effect in the course of last month. This leaves unabridged the right of a detainee to seek recourse to a judge any time after being detained and to be heard within 24 hours after submission of a request to that effect.

9. Following an instruction of the Attorney-General to ensure strict adherence to these law-based guarantees, there are in practice no instances of pre-trial arrest that last more than four days unless a judge has ruled that the arrest is legitimate.

10. Incommunicado detention only happens in extraordinary circumstances in the interest of the investigation. A decision to that effect by the Attorney-General is communicated mentioning the relevant grounds, in writing to the detainee. Access of a lawyer to detainees is allowed as a matter of course. Areas for further improvements of the national legislation to ensure respect for human rights of detainees in accordance with international norms are being investigated.