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**Consideration of reports submitted by States parties
under article 40 of the Covenant**

**Replies of Suriname to the list of issues in relation to its
fourth periodic report***

[Date received: 19 June 2024]

* The present document is being issued without formal editing.



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Replies to the list of issues in relation to the fourth periodic report of Suriname (CCPR/C/SUR/Q/4)

1. and 2. Constitutional and legal framework within which the Covenant is implemented (art. 2)

1. The Constitutional Court is already in operation. Currently, five laws were reviewed by the Constitutional Court, among others the Amnesty Act of 2012, the Amnesty Act of 1989 and the Electoral Act. In all the cases before the Court, its decisions dictated the annulment of both the Amnesty Acts and the current Electoral Act. The Court's rulings are accepted by both the Parliament and State as well as within the wider community.

2. The Government continually makes efforts to adapt its policies to the human rights standards. In this context, it has also organized a number of training courses for relevant stakeholders, including prosecutors and judges, to raise awareness and strengthen skills to apply human rights issues in practice.

3. The Agent of State has advised the Minister of Justice and Police to ratify the Second Optional Protocol to the Covenant. Further related arrangements are being considered.

4. In 2022, the initial Bill establishing the National Human Rights Institute (NMI) was presented to H.E. Chandrikapersad Santhoki, President of the Republic of Suriname and the Cabinet of Ministers. Subsequently, under the auspices of the Human Rights Bureau of the Ministry of Justice and Police and in collaboration with UNDP, an awareness raising campaign about the National Human Rights Institute (NMI) commenced in December 2022.

5. Through this campaign, input was sought from relevant stakeholders on the necessity of tasks, powers and working methods of the Institute. The main stakeholders included the President and Cabinet ministers, were representatives of CSOs including ITPs, people with a disability, LGBTQ and women support groups, as well as UN agencies and OAS – IACHR. After receiving input from various stakeholders, the Bill was revised to include pertinent recommendations.

6. In the process of establishing such an institution and with an intent to facilitate the operationalization of the Bill after its adoption by The National Assembly, relevant national stakeholders including government agencies, industry associations, and civil society organizations are already engaged. Their involvement ensures a smooth transition and effective implementation of the provisions in the Bill, as they can provide valuable insights and contribute to the development of necessary frameworks, guidelines and programme of work of the Institute. Additionally, the State is cognizant that engaging stakeholders early on, fosters a sense of ownership and commitment towards the goals of the National Human Rights Institute, leading to increased cooperation and collaboration in its future endeavours.

7. After the establishment of the National Human Rights Institute, a procedure will be formulated to ensure full compliance with the Views adopted by the Committee and other recommendations and judgements of human rights bodies.

3. Anti-Corruption measures (arts. 2 and 25)

8. On Wednesday, August 30, 2023, a new state decree was issued to implement the Anti-Corruption Act (S.B. 2017 No. 85). This decision, called "Decree on Declaration of Income and Assets and Register of Receipts," aims to make the financial position of public officials in Suriname more transparent and to combat possible corruption. The new state decree (S.B. 2023 No. 127) is based on Article 9, paragraph 5 and Article 11, paragraph 3 of the Anti-Corruption Act (S.B. 2017 No. 85) and introduces the mandatory "Declaration of Income and Assets" for public officials. This statement includes detailed information about the income, assets and other financial assets of the relevant officers.

9. From October 2022 until now, there are 11 high profile criminal cases (mostly public officials and high-level politicians). Due to the fact that these cases are high profile and under investigation, detailed information on the outcomes cannot be provided.

<i>High profile criminal cases</i>	
Under investigation by the police	4
Judicial preliminary investigation	4
Lawsuit ongoing	3
Total cases	11

4. State of emergency (art. 4)

10. A state of emergency was declared during the COVID-19 Pandemic.
11. This law does not specify the rights that may not be restricted or suspended under any circumstances but refers to article 4 (2) of the Covenant.

5. Fight against impunity for past human rights violations (arts. 2, 6, 7 and 14)

12. The Constitutional Court annulled both the Amnesty Act of 2012 (S.B. 2012 No. 49), being an amendment to the Amnesty Act 1989, and the Amnesty Act of 1989, on the grounds that Human Rights violations are neither covered nor time-barred by the Amnesty Act. The 8 December criminal trial with the former President of Suriname D. Bouterse as the main suspect, resulted in a conviction of 20 years of imprisonment. After the final hearing on appeal, the court-martial judge's ruling will have to be implemented. Perpetrators of Human Rights violations should be brought to justice. With the annulment of the Amnesty Act of 1989 (S.B. 1992 No. 68), the perpetrators of the Moiwana massacre of 1986 are now also punishable. Currently, the Office of the Public Prosecutor is hearing witnesses of the Moiwana massacre. The victims' families in the Moiwana case have already received full amount of reparation support, which was paid by the government in 2005.

13. In a Public Meeting, on Friday, August 27, 2021, Parliament considered and approved the Act repealing the Act of 5 April 2012 amending the Amnesty Act 1989 (S.B. 2021 No. 118) after the Constitutional Court decided that the 2012 amendment is contrary to the Constitution and international treaties.

14. The Whistleblowers Act provides for the protection of witnesses. However, this bill is still in draft form and has not yet been submitted to DNA. Witnesses can also be heard by the Magistrate Judge as threatened witnesses.

6. and 7. Non-discrimination (arts. 2, 19, 20 and 26)

15. Article 500 sub a of the Penal Code criminalizes occupational discrimination, including discrimination based on sexual orientation. Article 175 sub a of the Penal Code also prohibits organizations to promote and incite racial discrimination. In the latter article, instigation to hate, discrimination or violence has been criminalized.

16. LGBT persons, particularly transgender sex workers are not subjected to arbitrary arrest, harassment and beatings by police. They receive the same treatment as any other person who commits illegal acts.

17. The Equal Treatment Labour Act, which was approved in October 2022 and entered into force in November 2022 prohibits, among others, discrimination on the basis of sexual orientation, gender identity and LGBT individuals in the labour market and related labour issues. In article 4, paragraph 1, the following is stated: "The employer may not discriminate on the basis of race, sex, religion, skin colour, ethnic origin, national origin, social origin, sexual inclination, orientation and gender identity, political opinion, affiliation, disability, HIV status and other chronic conditions, family responsibility, pregnancy, age or marital status when entering into the employment contract, when providing training to the employee, in the employment conditions, in working conditions, when promoting and when terminating the employment contract". Furthermore, according to this law, employers (with more than 30 employees) have the obligation to establish internal complaint mechanisms and employers who have less than 30 employees and who are not able to handle the complaint themselves, need to submit the complaint to the Labour Inspection with the request to investigate the complaint.

18. There are no statistics (no cases) with regard to complaints of discrimination and hate crimes that were brought before the national courts.

19. Parliament has undertaken several measures to combat hate crimes and hate speech, including online hate speech. These measures encompass legal reforms, public awareness campaigns, and collaborations with international organizations. Some key initiatives are:

- (a) Legal Reforms
 - Hate Crime Legislation: The Surinamese parliament has worked on enacting and updating laws to explicitly criminalize hate crimes. These laws define hate crimes and specify penalties for offenses motivated by race, ethnicity, religion, gender, sexual orientation, or other protected characteristics;
 - Hate Speech Legislation: There are specific provisions in Surinamese law aimed at prohibiting hate speech. These laws target speech that incites violence, discrimination, or hostility against individuals or groups based on their identity.
- (b) Online Hate Speech Regulation:
 - Cybercrime Legislation: Recognizing the growing prevalence of online hate speech, the parliament has introduced amendments to existing cybercrime laws. These amendments aim to cover offenses related to the dissemination of hate speech through digital platforms;
 - Collaboration with Tech Companies: The government engages with social media platforms and technology companies to monitor and take down content that violates hate speech regulations. This includes setting up mechanisms for reporting and addressing online hate speech promptly, for example e-Gov.
- (c) Public Awareness and Education:
 - Educational Campaigns: The government and civil society organizations conduct educational campaigns to raise awareness about the dangers of hate speech and hate crimes. These campaigns are aimed at promoting tolerance and understanding among diverse communities in Suriname;
 - School Programs: Anti-hate speech and anti-bullying programs are integrated into school curriculums to educate young people about the importance of respect and diversity from an early age.
 - For example various motivational speeches from public figures in society.
- (d) Support for Victims:
 - Support Services: There are initiatives to provide support services for victims of hate crimes and hate speech. This includes counselling, legal aid, and protection services to help victims cope with the psychological and legal ramifications of hate incidents.
- (e) International Collaboration:
 - Partnerships with International Organizations: Suriname collaborates with international bodies such as the United Nations, the Organization of American States (OAS), and other regional organizations to align its strategies with global best practices. This includes participating in international forums, adopting international conventions, and benefiting from technical assistance and funding;
 - Regional Cooperation: Suriname works with neighbouring countries in the Caribbean and South America to address cross-border issues related to hate speech and hate crimes, including online hate speech.
- (f) Research and Data Collection:
 - Data Collection and Monitoring: The government, in collaboration with academic institutions and non-governmental organizations, collects data on

hate crimes and hate speech incidents. This helps in understanding trends, assessing the effectiveness of existing measures, and making informed policy decisions.

- These measures reflect a comprehensive approach by Parliament to tackle hate crimes and hate speech, with a focus on legal frameworks, prevention through education, support for victims, and international cooperation.

8. Gender equality (arts. 3 and 26)

20. See the Act on non-discrimination. Furthermore, according to The Equal Treatment Act, employers (with more than 30 employees) have the obligation to establish internal complaint mechanisms and employers who have less than 30 employees and who are not able to handle the complaint themselves, need to submit the complaint to the Labour Inspection with the request to investigate the complaint. See also The Gender vision policy document 2021-2035 in the Fourth Periodic report.

21. The National Assembly has already started processing the Bill on the New Civil Code in July 2023. Articles from the current Civil Code are hereby amended to bring them into line with gender equality. See articles 12, 5 and 251 draft New Civil Code.

9. Violence against women and domestic violence (arts. 2, 3, 6, 7 and 26)

22. The Violence and Sexual Harassment Act, which was adopted in October 2022 and entered into force in November 2022, also includes an obligation for employers to establish a written policy to prevent violence, intimidation and sexual harassment in the workplace and to register cases that have occurred and resolve. The written policy must contain a number of aspects, including specific measures to protect: (1) young employee (youth); (2) migrant workers, especially female ones; (3) employees with disabilities; (4) employees who are members of indigenous and tribal communities; (5) employees living with the HIV virus and other chronic conditions; and (6) employees from marginalized communities.

Violence against women and domestic violence

Threat	120
Threat or arson	1
Harassing or stalking	13
Trespassing	2
Slander	2
Abuse	101
Open violence	1
International deprivation of liberty	2
Attempted abuse	12
Attempted arson	1
Attempted murder	5
Attempted rape	1
Pornography	4
Insult	1
Rape	11
Destruction	20
Serious assault	32

23. Some measures in this regard are:

- A Complaints Committee has been set up at the ministry of Justice and Police for all personnel of the ministry, who are victims of sexual harassment at the workplace,

starting from October 15, 2021 for a period of 3 years. The Committee has worked on updating the complaints procedure and the code of conduct.

- Between April and August 2022, refreshment training was provided by the Ilse Henar Hewitt Foundation to the Ministry of Justice and Police trainers, who in turn provided training to ministries staff members. It is envisaged that these trainers will continue to train the rest of the ministries staff in the year 2024.
- In the coming period, the committee plans to work on developing a form for submitting the complaint and training the members of the committee in interrogation techniques.
- With regard to the national policy plan on domestic violence, the mandate of the Council has been extended for a period of 1 year, to among others, update the Plan.

10. Prohibition of torture and other cruel, inhuman or degrading treatment of punishment (art. 7)

24. The prohibition of torture and other cruel, inhuman or degrading treatment or punishment is in article 9 para. 2 of the Constitution. In the Criminal Code (CC) the articles 345, 360 to 364 and 364a are used for abuse and assault, but there is no specific article on the prohibition of torture nor is there a definition of torture in the Criminal Code nor in the Military Criminal Code. The aforementioned articles in the CC are used to punish torture and other cruel, inhuman or degrading treatment or punishment.

25. It is prohibited during arrests or at places of deprivation of liberty using disproportionate force against arrestees or detainees.

26. This is enshrined in both international conventions as well as in our national legislation.

27. The Corps of Penitentiary Officials does not participate in torture, cruel inhuman or degrading treatment or punishment. As article 25 from the Penitentiary Decree of November 30, 2020 S.B. 2020 No. 27, indicates that Penitentiary officials are obliged to treat prisoners with humanity and justice, but also with appropriate severity. During the COVID-19 pandemic, there were strict rules regarding hygiene, contamination, spread and containment of the virus. The infected person were isolated and further guided by internal and external experts.

28. The Police Corps does not torture, not in theory nor in practice.

29. Article 12 of the Police Charter regulates "Use of Force". In particular, the following included:

30. The police may use force only:

(a) To necessary defence of one's own or others body, honor or property against immediate betrayal;

(b) To break up public riots or gatherings, or to break down violent resistance or other serious opposition, such after having the provisions of the first paragraph have been acted upon without success;

(c) For the arrest of escaped convicts or of persons suspected of serious crime.

31. No more force may be used than is proportionate to the importance of the objective to be achieved, proportionate to the purpose to be achieved, and no more pain or injury should be inflicted, than is manifestly unavoidable in the circumstances. If there are reports of excessive force by police during an arrest or by Penitentiary officials during detention, this will be investigated by OPZ (=Investigation Police Affairs) and by the Police and should the investigation reveal that the relevant police officer or penitentiary official has been guilty, then disciplinary and criminal sanctions will follow.

32. Overview Investigation Police Affairs (OPZ) session year 2022–2023.

33. For the 2022–2023 session year, in consultation between the Chief of Police of the Police Force Suriname and the Procurator General, 16 cases (22 suspects) were discussed, in

which decisions were made on whether or not to impose disciplinary sanctions against police officers, who have committed the following offenses:

(Disciplinary penalty per suspect)

Decision on disciplinary penalty Number of cases

<i>Decision on disciplinary penalty</i>	<i>Number of cases</i>
Reprimand	2
Reprimand and mandatory counselling	2
Suspension	1
Serious warning	4
Fine	1
Fine and restitution	1
Degradation of 1 year	1
No imposition of disciplinary penalty	3
Deferred (cases pending in court and cases of which further investigation is awaited)	5
(Case) imposed	2

34. In total, 22 cases of 11 defendants are now pending before the district judge.

11 and 12. Liberty and security of the person (art. 9)

35. A detainee has the right to legal assistance from a lawyer. If they cannot afford it themselves, the state ensures that they have a lawyer. When investigating serious cases and in order not to disrupt the ongoing police investigation, the judge may temporarily ban visits from the detainee. This also applies to the lawyer until the judge decides otherwise. A detainee may receive visits from his or her lawyer from Monday to Friday from 8 a.m. to 5 p.m. They may also maintain contact by telephone during the week from 8 a.m. to 11 a.m. This visit and contact takes place under the supervision of a correctional officer. The judge determines when an arrestee must appear in court. The arrestees are accompanied to court by the police.

36. Based on current provisions of the Code of Criminal Proceedings (article 54a), every individual accused of a crime has the right to file a petition to question the legality of his detention. The petition may be filed immediately (within hours) after the detention. The Investigative Judge will review the petition within 24 hours after it has been filed and the accused will appear before the judge to be heard. The petition may be filed either by the accused himself or by an attorney on his behalf. There is no particular format for the petition, it may even be handwritten. The Investigative Judge will decide as soon as possible whether the petition is granted or not. In general, the decision is given either immediately after the hearing, or within 24 hours hereafter.

37. This provision (article 54a) also provides that the lawfulness of the suspect's detention is assessed no later than 7 days after the time of his detention, even if he has not submitted a petition.

38. Both the detainee and the public prosecutor may – within 3 days – file an appeal with the High Court of Justice against a decision of the Investigative Judge in accordance with article 54a, paragraph 4 of the Code of Criminal Proceedings. The Court of Justice shall decide on the appeal as soon as possible, but no later than 3 days after the appeal has been submitted (article 54c).

39. The law does not limit the number of petitions that may be filed by an individual to have the Investigative Judge review his detention.

40. As stated above, in the Republic of Suriname, arrested persons are brought before a judge within 7 days and not within 48 hours. An alternative is the request for release due to

unlawful detention ex article 54a CC. As the statistics show, the effectiveness of this rule speaks for itself. The lawfulness assessment in respect to judicial review of detention works effectively.

Statistics: Requests for release due to unlawful detention ex. art. 54 a CC.

<i>October 2023 to May 2024</i>	
Request granted	27
Request denied	76
Concluded at the Public Prosecutor's Office	43
Total	146

Statistics

<i>Cases in Judge's Council Chamber ex art. 54 C Sv</i>	<i>1 Oct 2022 to Sept 2023</i>	<i>1 Oct 2023 to May 2024</i>
Request granted	75	9
Request denied	39	36
Concluded at the Public Prosecutor's Office	12	8
Not admissible	3	1
Cases withdrawn	2	
Total	131	54

Number of cases of suspects in custody by age and gender

<i>10–16 yr</i>		<i>17–18 yr</i>		<i>19–21 yr</i>		<i>22 yr and older</i>	
<i>Man</i>	<i>Woman</i>	<i>Man</i>	<i>Woman</i>	<i>Man</i>	<i>Woman</i>	<i>Man</i>	<i>Woman</i>
140	15	58	2	77	15	1 786	266

41. The number of pretrial detainees, including those held in police stations, and the percentage that they represent of the total number of persons deprived of their liberty.

42. The laws in the field of mental health are under consideration, but in practice the policy is in line with article 9 of the Covenant and the Committee's general comment No. 35 (2014) on liberty and security of person in order to avoid arbitrary detention of persons with intellectual disabilities and persons with psychosocial disabilities. If a patient is detained, it has to be reported to the Procurer-General. Detention is the last resort in order to protect them to damage themselves and/or others. See also the answers on 13 and 14 with regard to juveniles.

13. and 14. Treatment of persons deprived of their liberty (art. 10)

43. The State continues to make efforts to improve the living conditions in the detention centers and prisons. Convicted persons are detained in prison. In the detention centers there are detainees who have not yet been convicted: the so-called pre-trial detention. The Republic of Suriname is training its prison officers to implement the Nelson Mandela Rules and the prison and detention centers are in accordance with these rules.

44. There are three prisons countrywide: one in Paramaribo, one in district Wanica, and one in district Nickerie. There is one detention center (house of remand) in the district Wanica. 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 the standard of living conditions, maintenance, safety and hygiene.

45. At the end of 2019, some of the detention centers in Paramaribo were partially rehabilitated. Currently, most of the detention centers are in fair condition. These centers

have the most detainees, because the largest part of the detained population resides in Paramaribo.

46. Minors in pre-trial detention are separated from adults. These minors are in “Opa Doeli”. In prison, minors are separated from adults with regards to males. There are two youth detention centers:

- (a) Youth Pre-Detention Centre: Jeugd Doorgangscentrum “Opa Doeli”.
- (b) Youth Detention Facility: Jeugd Opvoedingsgesticht (JOG).

47. In the detention centers, women and girls are separated. The women are in the detention center at Geyersvlijt, together with the girls. “Opa Doeli” offers adequate shelter, housing, education and pedagogical guidance to male juvenile detainees aged 12/17–18 years.

48. It should also be noted that there are some challenges with regard to separate prison facilities for women and girls. These women and girls are in the same facility. After their conviction, these juveniles are transferred to the Youth Detention Facility (JOG). JOG is located within the walls of the adult prison Santo Boma, which means that contact between the juveniles and adults is not excluded. In order to change this, the Ministry of Justice and Police has established the Youth Correction Center (JCC) to provide the juveniles with an adequate residence, which meets the requirements according to the ratified treaties and national laws and regulations, during their detention. A future plan is building another prison facility, and thus separating the girls from the women.

With regards to the number of detainees from 2020–2023

<i>Year</i>	<i>Boys</i>	<i>Girls</i>	<i>Total</i>
2020	243	13	256
2021	183	11	194
2022	247	18	265
2023	205	11	216
Total			931

49. The professional conduct of employees is an important condition for a positive educational living environment and for the compliant implementation of legal measures during the stay of young people in this institution. By offering a safe and child-friendly environment with customized care, upbringing and education, a better perspective is created for them.

50. With the establishment of the National Human Rights Institute and its operationalization, the State is putting measures in place to monitor places of deprivation of liberty including through regular and unannounced visits as one of its tasks.

15. Elimination of slavery, servitude and trafficking in persons (arts. 2, 7, 8 and 26)

Period: January 1, 2023–October 6, 2023

51. The Trafficking In Persons (TIP) department has taken the following measures to prevent and combat trafficking in persons:

52. The TIP department strives to identify as many victims of Human Trafficking and Smuggling as possible with a view to providing them with the necessary protection and care and prosecuting perpetrators.

(a) The TIP department has started providing information about the phenomenon of human trafficking and human smuggling to various schools in Suriname. Information has been provided to students on how to recognize human traffickers so that they are aware and can prevent themselves from ending up in such a situation.

(b) The TIP department has conducted a TIP INFO session with the new class of SLM flight attendants, so that they can also recognize the working methods of a human trafficker.

(c) The TIP website www.menshasu.org with the option to receive reports was launched on June 30, 2022 and subsequently standing banners were designed and placed at the various border posts in Suriname with information about the working methods of a human trafficker with the aim of raising awareness in society about human trafficking. These banners were developed in the languages French for the Eastern border with French Guiana, Spanish for the Western border with Guyana and standard banners were also placed in English at all three border posts. This activity was conducted in collaboration with the Immigration Service; Customs in the East and the police on duty at the various border crossings.

(d) If someone wants to submit a tip about a possible human trafficking activity, the department has a TIP INFO LINE 155, which is housed at the Command Center department of the Suriname Police Corps.

(e) Regular orientation activities take place at various locations in both Paramaribo and in the districts where possible human trafficking may occur.

(f) The officers of the TIP department continuously undergo training on human trafficking, so that they can continuously improve in identifying tip victims and in leading investigations. For example, efforts are being made to strengthen capacity and raise awareness in the fight against human trafficking and human smuggling.

53. In the period from January 1 to October 6, 2023, the Trafficking In Persons department investigated a total of nine (9) suspects, of which seven (7) suspects have been taken into police custody, one (1) suspect has been sent away and one (1) suspect has been taken into immigration detention.

Overview of arrested suspects by the TIP unit:

<i>Month</i>	<i>Gender</i>	<i>Nationality</i>	<i>Age</i>	<i>Result</i>
January 2023	Man	Chinese	35	Not locked up. After investigation, the alleged victim turned out to be a virgin and worker of the shop
May 2023	Man	Dutch citizens	40	In custody
May 2023	Woman	Surinamese	18	In custody
May 2023	Woman	Cuban	38	In custody
May 2023	Woman	Cuban	29	In custody
July 2023	man	Indian	33	In custody
July 2023	Man	Indian	41	Alien detention
August 2023	Man	Chinese	42	In custody
August 2023	Man	France	39	In custody

(a) The TIP department has a transit shelter where tip victims can stay safely for a maximum of three months during the investigation.

(b) The TIP department conducts discussions with representatives of NGOs nationally and internationally to achieve good victim care and victim assistance, as well as other options for cooperation with international organizations in the field of replacing victims who do not wish to stay in Suriname. The IOM (International Organization for Migration) contributes to creating a permanent shelter for victims. Setting up a permanent shelter is also a priority of the President of the Republic of Suriname and the Minister of Justice and Police.

(c) The TIP department is working on a project proposal for setting up a permanent shelter in collaboration with the human rights office of the Ministry of Justice and Police and

employees of the Ministry of Foreign Affairs, International Business and International Cooperation (BIBIS). The aim of this permanent shelter is to offer victims the opportunity to stay longer to rebuild their lives and reintegrate into society.

(d) From January 1, 2023 to October 6, 2023, the TIP department not only provided protection but also victim assistance to 5 TIP victims in the transit shelter.

(e) Registration obligation via the Immigration Department for victims who do not need to be taken care of immediately, because they can move freely within Suriname and do not see a threat from organized crime and also if TIP victims wish to settle in Suriname.

(f) Healthcare for TIP victims must be arranged in collaboration with the Social Affairs department.

(g) Guidance is provided by social workers from Social Affairs who are also affiliated with I.O.M.

(h) If a victim wishes to return to their country of origin, this will be arranged through the intervention of the Immigration Department, the relevant embassy or consulate and N.G.O.S.

(i) Efforts are underway to build good partnerships with national and international NGOs.

(j) Compensation to TIP victims has not yet been fully settled.

(k) A complete SOP is being prepared to correct what has been mentioned above.

Oversight investigation of Trafficking in Persons cases – period: 1 January 2023 to 6 October 2023

	<i>Jan.</i>	<i>Feb.</i>	<i>March</i>	<i>April</i>	<i>May</i>	<i>June</i>	<i>July</i>	<i>Aug.</i>	<i>Sep.</i>	<i>6 Oct</i>
Human Trafficking cases	0	0	0	0	2	0	1	1	0	0
Alleged human trafficking cases	1	0	1	0	1	0	0	0	0	0
Human smuggling cases	0	0	0	0	0	0	0	0	0	0
Violation of the Aliens Act	0	0	0	0	0	0	1	0	0	0
TIP victims	0	0	0	0	4	0	1	0	1	1
Arrested suspects	1	0	0	0	4	0	2	2	0	0
In custody	0	0	0	0	0	0	1	2	0	0
Alien detention	0	0	0	0	0	0	1	0	0	0
Report sent to our Attorney's office	1	2	1	0	4	3	2	3	0	1

(a) *Suriname legislation regarding human trafficking:*

Human Trafficking: article. 334 of the Criminal Code| Human Smuggling: article 249 of the Criminal Code

54. The mechanisms in place are:

(a) Design transit shelter for TIP victims completed.

(b) Permanent shelter for TIP victims established in collaboration with the Public Prosecution Service.

(c) Project plan designing a permanent shelter for TIP victims approved by UPR.

(d) Project plan: Human Trafficking awareness and institutional strengthening TIP department approved by UPR.

(e) Request submitted to the Attorney General to implement the special investigative powers act.

(f) Letter submitted regarding legalization of prostitution; if the State Suriname legalizes prostitution, combatting human trafficking can take place more effectively.

(g) Follow-up process 2024 upgrading victim care/victim assistance to the level indicated/ intended by the Palermo Protocol.

(h) National Plan of action – Suriname has a 2024 TIP National Action plan.

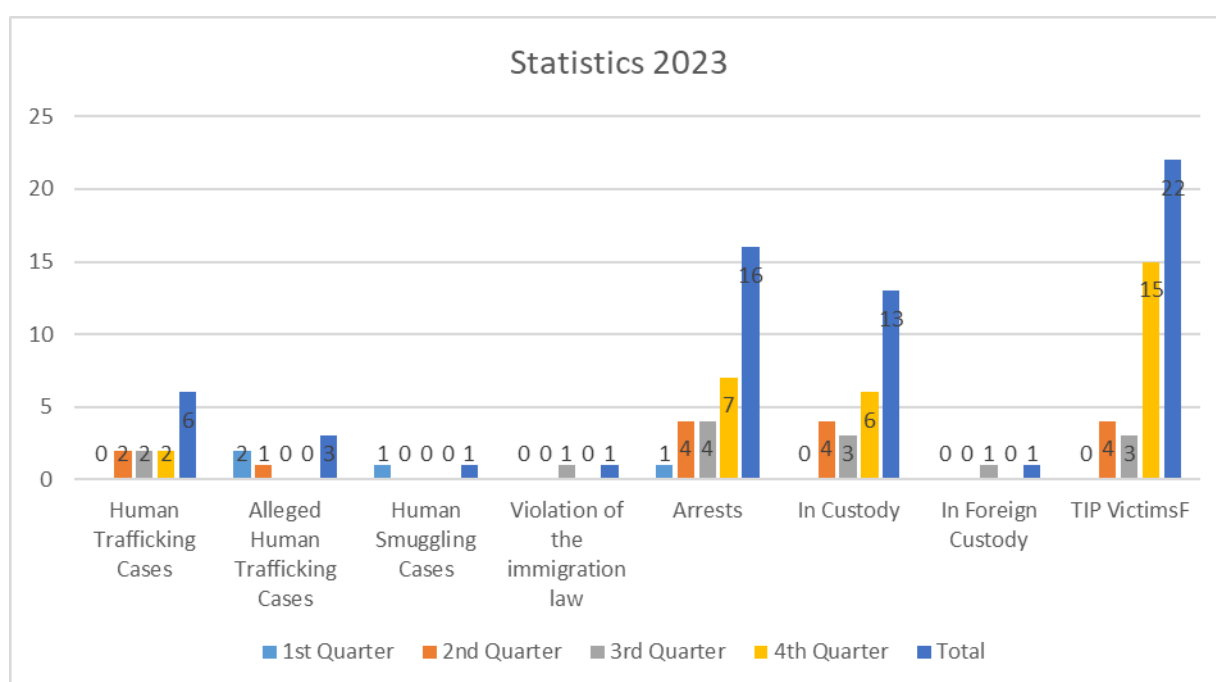
55. The measures taken to support victims, including medical, social and legal assistance, are:

(a) A start has been made on setting up a permanent shelter for TIP victims.

(b) Preparation regarding setting up a social unit at the TIP department in collaboration with the Ministry of Justice and Police in order to realize article 6 of the Palermo Convention on the protection of human trafficking victims.

(c) Transit shelter for TIP victims is fully equipped.

Statistics regarding year 2023



16. and 17. Treatment of aliens, including migrants, refugees and asylum-seekers (arts. 7, 9, 12, 13 and 24)

56. (a) Foreign nationals who fear persecution in their own country, have the possibility to register as an asylum seeker. If they need assistance with this application, they can approach the reception office of the UNHCR located at the Verlengde Gemenelandsweg 132b in Paramaribo.

57. Suriname does not yet have its own refugee legislation nor an administrative procedure for asylum. Registration and granting of refugee status is still done by the United Nations High Commissioner for Refugees (UNHCR). The UNHCR office in Paramaribo can assist these foreigners with this process.

58. Foreigners who do not have a valid passport upon entry in Suriname, may still seek asylum pursuant under the International Refugee law. Suriname is party to the Refugee Convention and the treaty provisions regarding residence status are included in the Aliens Act 1991 (S.B. 1991 No. 03) and the Aliens Decree (S.B. 1995 No. 85). In general, the application for a residence permit by an asylum seeker/refugee or migrants can only be refused for serious reasons based on public order. This also includes, for example, if the asylum seeker/refugee is guilty of a criminal offense.

59. On March 21, 2018, by decision Jno. 18/02268, a special category of aliens in the asylum procedure was adopted and entered into force. Aliens who have been granted the status of refugee/asylum seeker have the option of submitting an application for residence to the Sub directorate for Immigration under certain conditions. Asylum seekers receive a residence permit valid for 1 year, while refugees receive a residence permit for 2 years.

60. The overview below shows the number of refugees/asylum seekers who have applied for a residence permit.

<i>Year</i>	<i>Nationality</i>	<i>Number applications</i>	<i>Total</i>
2020	Cubans	22	25
	Venezolanas	3	
2021	Colombians	1	44
	Cubans	39	
	Venezolanas	4	
2022	Cubans	98	107
	Nigerians	1	
	Romanians	1	
	Venezolanas	7	
2023	Cubans	87	95
	Haitians	3	
	Italians	1	
	Venezolanas	4	

61. (a) Planning to set up these systems and arrangements has already been initiated by the competent authorities through the establishment of various committees appointed for the purpose.

62. (b) The measures to guarantee effective access to the asylum procedures must be sought from the appropriate institution. The immigration police have no information about this. Immigration detention is only applied on behalf of the Public Prosecution Service to foreigners who have entered and resided in the country illegally and possibly after expiration of an imposed sentence after committing any crime.

63 (d) The Office of the Public Prosecution Service is the competent authority to strengthen the legislative framework and establish formal procedures for this.

Statistical information of immigrants in detention: Period January to December 2022

Illegal entry and stay:

Guyanese	15
Dominicans	2
Dutch	8
Venezolanas	8
Brazilians	6
French-Guyanese	6
Total	53

After expiration of an imposed sentence for committing a crime:

Guyanese	5
Dutch	3
Brazilians	3
Total	11

Period January 2023 to Present**Illegal entry and stay:**

Germans	3
Guyanese	6
Dutch	7
Chinese	4
French-Guyanese	4
Dominicans	3
Colombians	1
Brazilians	9
Nigerians	2
Ghanian	1
Cubans	1
Haitians	3
Nigerian	1
Total	45

After expiration of an imposed sentence for committing a crime

Guyanese	8
Dutch	1
Brazilians	3
Chinese	1
Trinidadians	1
Germans	1
Total	15

64. The maximum duration of immigration detention is set at 30 days.

18. and 19. Access to justice, independence of judiciary and right to a fair trial (art. 14)

65. The High Court of Justice in Suriname is in the process of establishing a separate operational entity with its own budget, completely independent of the two other branches of government (the executive and the legislative). The Judiciary in Suriname as we know it, has been in place for approximately 155 years. For the majority of this period, Suriname was a colony of the Kingdom of the Netherlands, gaining independence on November 25, 1975. In order to achieve the goal of establishing an independent operational entity within the High Court of Justice, several statutes and proceedings established during the colonial period, must be amended.

66. Certain strides towards operational autonomy have already been made. At the beginning of each fiscal year, a detailed budget for expenditures in each of the branches (legislative, judiciary and executive) is approved by Parliament. To that end, the judiciary submits its annual budget to the Ministry of Justice and Police, who then sends it to Parliament, currently still as a separate part of the Ministry's own budget. It used to be that after approval

of the budget by Parliament, the budget for the High Court was managed by the Ministry. For about seven years now, the High Court of Justice has at its disposal these finances and manages the budget on its own.

67. In First Instance Courts (the Cantonal Courts), there is no backlog of civil and criminal cases. In the Appellate Courts there is a backlog. The High Court of Justice is diligently working on catching up on the arrears. At the same time, existing procedures are reviewed in order to prevent future backlogs. In collaboration with institutions in The Netherlands, the High Court of Justice regularly initiates the training of judges for the civil and criminal courts. Currently approximately 30 legal professionals are in training to become judges.

68. The procedure to appoint judges is set forth in the Constitution of the Republic of Suriname. Both the Judiciary and the Executive branches are involved in this process, each with its own role and authority. The principle of checks and balances is in place.

69. In 2019 the High Court adopted a Code of Conduct for the Judiciary. This Code of Conduct, which is actively in operation within the judicial system of the Republic of Suriname, is based on the renowned Bangalore Principles of Judicial Conduct. The Code of Conduct was published, and is accessible to each and every individual through the website of the High Court. The Code of Conduct contains the following values namely: Independence, Impartiality, Equality, Integrity, Dignity, Competence and Dedication.

70. With regard to the financial compensation and pension entitlements of members of the Judiciary, new legislation has been drafted. This legislation will be submitted to Parliament by the government later this year.

71. Access to counsel and defendant is regulated by law and at every interrogation this is explicitly stated. Furthermore, counsel is contacted by the police if the suspect so indicates. Also at the prosecutor's office, at arraignment, the suspect is asked whether he or she has counsel. If not, the legal aid office is called in, to arrange for the addition of a lawyer.

72. The High Court of Justice was just recently informed that the government came to an agreement with the Suriname Board of Attorneys (SOVA), with regard to appointing legal counsel for individuals who are not able to afford their own legal counsel.

73. If the communication between attorneys and their clients is restricted by the Office of the Public Prosecutor in accordance with article 40 of the Code of Criminal Proceedings, a petition may be filed with the Investigative Judge, who will review this issue immediately. If the Investigative Judge concludes that there are indeed undue restrictions on such communication, these restrictions will be lifted.

20. Freedom of expression (arts. 19 and 20)

74. No measures have been taken yet to decriminalize defamation. In practice however, the so-called perpetrator is being sent home after a police warning.

75. Suriname has made a huge step forward on the international press freedom index for the period 2023. The country moves up twenty steps from 48th to 28th place. According to the press freedom watchdog Reporters without Borders, this is due to the fact that there were no significant attacks on journalists and media houses in the year measured.

76. As of now, the status of the private members' bill submitted to the Surinamese Parliament in March 2022, which aims to amend the Penal Code to align with Article 19 of the International Covenant on Civil and Political Rights (ICCPR), is not definitively documented in the latest publicly accessible records. The bill, intended to address provisions related to freedom of expression, has not been highlighted in major recent updates from the Surinamese legislative or governmental sources.

77. This bill is a part of broader efforts by Suriname to ensure its legal framework is consistent with international human rights standards, specifically focusing on the provisions related to freedom of expression as enshrined in Article 19 of the ICCPR. Article 19 emphasizes the right to hold opinions without interference and the right to freedom of expression, which includes the freedom to seek, receive, and impart information and ideas of all kinds.

78. Regarding the arrests during the riots of Friday, February 17, 2023, it should be mentioned that through March 18, 2023, 173 arrests have been made. Most of the arrested suspects have been guilty of taking goods from the various stores. There were also arrests of suspects who committed vandalism, set fires especially arson truck National Army, vandalizing DNA building, vandalizing Shell Lo Tam Loi, vandalism vehicle Journalist and arson of Waterkant building. On 29 March 2023, the first cases, were submitted to the district judge. There are 2 cases still pending at trial and there are 2 acquittals. The sentences imposed vary between 6 and 12 months.

21. Peaceful assembly (art. 21)

79. Education on human rights is incorporated in the curricula of the Law Enforcement Officers training in all levels. In this context, specific reference is made to among others:

- UN Code of Conduct for Law Enforcement Officials
- UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
- UN International Covenant on Civil and Political Rights
- UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials
- UN Standard Minimum Rules for the Treatment of Prisoners
- UN Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment
- UN Convention on the Rights of the Child
- UN Rules for the Protection of Juveniles Deprived of their Liberty
- UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)

22. Rights of the child (arts. 23, 24 and 26)

80. Children are protected from corporal punishment on the basis of the existing laws and regulations in Suriname. 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. Specific legislation on corporal punishment in Suriname is being formulated by the Government in consultation with relevant NGOs.

81. 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.

82. The Child Protection hotlines Apoera and Coronie were set up in October 2015. There are three Centers for Reporting Child abuse (Meldpunt Kinderbescherming) located in the districts Sipaliwini (Apoera), Coronie, in response to the high level of child abuse detected in the Apoera and Coronie Region, and Paramaribo. Hotlines were established as part of a pilot project, to identify cases of sexual abuse within local communities. The hotlines were set up in different areas for ease of accessibility and to avoid the threshold fear among citizens. The third hotline in Paramaribo-South (Latour, Stibula) was set up in the period August to December 2016, due to, among other things, the increasing complaints of prostitution among the teenagers in those areas, which are demographically heavily populated with teenagers.

83. With the support of UNICEF, this Child Help Line was upgraded to a 24 hours Helpline for children and adolescents. In 2021, the group of beneficiaries was also extended to adults who fall victim to abuse; the name of the Help Line was changed to “Mi Lijn”, which literally translates to My Line, but in figurative speech means as much as “my friend, my support”.

84. To further promote and protect the Rights of the Child, the Youth Affairs department of the Police Corps is working on awareness activities. Some of the projects have been implemented in cooperation with UNICEF, and these are:

- (a) Support for Child Friendly interrogation procedures.
- (b) Installation of and training to use audio and visual equipment, during the period of October to November 2018.
- (c) Youth Empowerment & Awareness as prevention against at-risk behavior of youth, was held during the period August to November 2018.
- (d) Strengthening Youth against Challenges (SYAC) project was conducted in the period June to August 2018.
- (e) Awareness raising campaigns and sessions in 5 schools in Paramaribo South to reduce violence against children.

85. In the context of tackling violence against children, the Bureau for Women and Child Policy prepared and implemented an awareness program in collaboration with UNICEF in 2019. The aim of the program was to raise awareness among children in schools about different forms of violence especially child abuse, bullying, sexual abuse and cybercrime.

86. In order to provide information to the target group, officials of various departments of the Ministry of Justice and Police, in particular the Bureau for Family Law Affairs, Opa Doeli, Judicial Child Protection, Bureau Victim Care, Police Youth Affairs, Department of Justice Nickerie, Legal Care and hotlines, were trained as educators.

87. The launch took place on 18 December 2019 at the Thabor School on the Nieuwzorgweg and a total of 8 information sessions were conducted up to January 2020.

88. The Ministry of Social Affairs and Housing has formulated a National Action Plan for Children, 2019–2021. The general objective of this Action Plan is, facilitating coordinated and integrated implementation of legislation, policies and programs aimed at creating optimal development opportunities for all children in Suriname. Seven priority areas have been identified, focusing on the realization of multiple strategic goals. One of the priority areas is the prevention and reduction of violence against children.

89. The President has set up a working group in November 2021 consisting of officials from the President's Office, the Ministry of Social Affairs and Housing, the Ministry of Labour, Employment and Youth Affairs, the Ministry of Education, Science and Culture and the Ministry of Justice and Police, the National Assembly, the Anton de Kom University of Suriname to take up the preconditions, regarding the preparation, establishment and implementation of the Children's Ombudsperson Institute in full. Through the establishment of the Children's Ombudsman Institute, the aim is to broaden the system of child protection and to achieve uniform representation of children's interests. The Bill on Child Ombudsperson was approved at the Council of Ministers on 7 September 2022 and on 27 October 2022 and presented to members of the State Council. In September 2023, the Ministry of Justice and Police adapted the Bill based on the received feedback and it will be tabled by Parliament.

90. A challenge for the State, is to place children who need to be temporarily removed from their home situation. The State government does not have children care centers and therefore, the Ministry of Justice and Police has formulated a Bill on Foster Care in collaboration with UNICEF.

91. The aim of this law is:

- to bring structure to the legal system of foster care,
- to strengthen the legal status of the foster child and
- to create balance between the rights of foster parents and biological parents or guardians and supervising guardians.

92. On 24 August 2023, this Bill was discussed with stakeholders to create broad support and get feedback. The Ministry of Justice and Police will amend the Bill based on stakeholder feedback and submit it to the Council of Ministers for approval.

23. Participation in public affairs (arts. 25 and 26)

93. Compared to other countries, Suriname has a reasonably good turnout of voters with regards to its national Elections. With regards to the 2010 national elections, the turnout of voter's percentage was 75.4%, in the 2015 national elections 72.72% and in the 2020 national elections 71.66%.

94. In accordance with the Constitution, passive and active participation in electoral processes is guaranteed to all Surinamese nationals. The current electoral policies indicate that electoral candidates must be nominated by their political organizations. Consequently, the Surinamese Government is of the opinion that it cannot provide provisions guaranteeing seats for the Interior (Indigenous and Maroons population). In this case, the representation of the aforementioned population is reserved for political organizations.

95. With regard to being able to vote abroad, the current Electoral Regulations do not provide for this possibility.

96. The system of national proportionality, the concept that the entire country is considered one constituency and consequently, there is a proportional distribution of seats in Parliament. Following its approval of major legislative amendments by the National Assembly, the elections will take place for the first time under this new system in May 2025. The capacity building of public sector officials and non-state actors has already commenced as has the various arrangements.

24. Rights of minorities (art. 27)

97. In November 2022, the State installed a Presidential Commission to study and realize the outcomes of the Eighth Conference of the Association of Indigenous Village Chiefs in Suriname (VIDS), which was held at Washabo in Western Suriname from August 27th–29th, 2022.

98. The Conference has demanded immediate and full constitutional recognition of indigenous peoples and implementation of the judgment in the Case of the Kaliña and Lokono Peoples v. Suriname amongst others. The decisions of said conference are contained in a document and were handed over to the Head of State.

99. The Presidential Commission consists of 21 members, each with their own expertise. The Commission furthermore consists of representatives from all regions, in which indigenous communities are concentrated.

100. The Commission is expected to designate subcommittees according to their expertise in order to address different policy areas simultaneously and ensure the recognition and protection of collective land rights and the participation in decision-making processes related to land use and management. This mechanism plays a crucial role in promoting effective communication and understanding among the State and stakeholders.

101. On February 2nd, 2023, the Committee on Indigenous and Tribal Peoples Collective Rights began its work immediately after its installation by the State i.e., the ministry of Regional Development and Sports (ROS), leading the process on the collective land rights issue.

102. The working group's mandate is to provide technical support to the ministry in answering the questions that will come up during the consideration of the Bill on Collective Rights of Indigenous and Tribal Peoples in Parliament. Several ministries are represented in the working group, which has been appointed for one year. Therefore, the committee is also tasked with guiding the process prior and during the formulation of issues such as demarcation of territories.

103. The working group is currently considering the amendment submitted by the committee of rapporteurs in The National Assembly, according to the Chairman of the

Committee, who is also the policy officer of the VIDS. Furthermore, the working group should organize consultations based on the aspects mentioned above.

104. By facilitating open and honest discussions, the State recognizes that investing in these dialogue mechanisms can contribute to identification of conflicts and challenges to be addressed as well as to opportunities which could lead to a more informed and inclusive decision-making process.

105. In the meanwhile, the government has committed itself to respecting the FPIC protocol. Accordingly, a special FPIC department has been set up at the Ministry of Natural Resources.

106. With regard to the Decree on the issuance of Domain Land (S.B. 1982 No. 11), it can be indicated that the revision of this law is currently being discussed in Parliament.

107. This amendment law is currently in the second round before the government, but after thorough evaluation and approval from Parliament, it has been decided to postpone its consideration until further notice. Both Parliament and the government have indicated that more time and space is needed for consultation. During the hearing, various topics were discussed, including land conversion, the underlying reasons for the amendment of the Stamp Act, the use of land as a means to combat poverty, land rental and leasehold for construction, and the conversion of agricultural land.

108. In recognition of the crux of the judgements particularly land rights, for Indigenous and Tribal Peoples, as well as in an effort to redress historical injustices and promote social inclusion and environmental sustainability, the State has identified the recognition of collective rights i.e., land rights as a priority to be approached integrally. Following a lengthy process of stakeholder consultation, the State submitted the Bill to the National Assembly (Parliament) in June 2021.

109. Prior to tabling the Bill for public debate in Parliament, the Committee of Rapporteurs for this Bill, conducted a series of activities to obtain the views of stakeholders and rights holders, including written feedback, workshops, consultation meetings, technical workshops with the legal community, private sector, academia and media.

110. The purpose of these consultations was to gather input and feedback on the proposed paragraphs and ensure that they are inclusive and represent all rights holders and stakeholders. The consultations proved to be valuable in the process of shaping the final amended version of the Bill ensuring that it reflects the diverse perspectives and interests.

111. These amendments included strengthening provisions related to the protection of Indigenous and Tribal Peoples' collective rights, clarifying the scope and application of certain provisions, and the translation into the formulation and implementation of the policies after its enactment.

112. The Bill is a framework and mandates the formulation of additional legislation. Parliament made efforts to ensure that the Bill aligns with international standards and the judgments of the Inter-American Court of Human Rights and also sought feedback from legal experts. The input from these stakeholders helped to strengthen the legal framework of the Bill and ensure its comprehensiveness and effectiveness.

113. In this regard, the additional legislation to be formulated was also identified and contoured comprising:

- FPIC procedures and processes, which will provide a framework for consultation and consent in all projects or activities that may impact the traditional lands and resources of Indigenous and Tribal Peoples;
- traditional governance system, to ensure that in policies and practice the unique cultural and political systems of indigenous and tribal communities are recognized and protected and participation and representation in decision-making processes is guaranteed;
- delimitation and demarcation legislation in order to establish and maintain a clear and transparent process for determining the boundaries of indigenous and tribal lands;

- dispute settlement mechanisms for resolving conflicts and grievances between and among indigenous and tribal communities and/or third parties.

114. These additional Bills are essential for the effective implementation of the rights and interests of Indigenous and Tribal communities.

115. The first round of discussions on the amended Bill commenced in Parliament in January 2023. The debates comprised various statements by the members of Parliament.

116. In the meantime, several comments from rights holders as well as stakeholders were presented to the Speaker of Parliament in the form of petitions or letters. These comments highlighted the concerns and suggestions regarding the proposed amendments to the Bill.

117. As the Speaker of Parliament received these petitions and letters, it became evident that there was a wide range of perspectives and interests at play. Some rights holders emphasized the need for stronger protections and enforcement measures, while others expressed concerns about potential infringements on individual rights and freedoms. Similarly, stakeholders from different industries and sectors presented their viewpoints. The influx of these comments added a layer of complexity to the ongoing discussions and further fueled the debates within Parliament.

118. Consequently, the meeting of Parliament is assessing all the contributions. The aim is to strike a balance between protecting collective and individual rights, while also addressing the needs and interests of various sectors. The diverse range of viewpoints expressed during the discussions has made the task more complex, but Parliament is committed to carefully considering all perspectives in order to create a revised Bill that is fair and inclusive.
