



# International Covenant on Civil and Political Rights

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## Human Rights Committee 141st session

### Summary record of the 4129th meeting

Held at the Palais Wilson, Geneva, on Thursday, 11 July 2024, at 10 a.m.

*Chair:* Ms. Abdo Rocholl

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

*Fourth periodic report of Suriname (continued)*

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*The meeting was called to order at 10.05 a.m.*

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

*Fourth periodic report of Suriname (continued) (CCPR/C/SUR/4;  
CCPR/C/SUR/Q/4; CCPR/C/SUR/RQ/4)*

1. *At the invitation of the Chair, the delegation of Suriname joined the meeting.*
2. **Ms. Kran** said that she would like to know what measures were being taken to prevent and prohibit the inhuman treatment of persons held in detention, to ensure that all detainees had access to quality medical care and to guarantee separate prison facilities for women and for minors. The State party was invited to confirm whether detainees were separated from convicted prisoners in the renovated detention centres in Paramaribo.
3. She would welcome further information on the steps taken by the Government to explicitly mandate independent national and international human rights observers, including the National Human Rights Institute, to conduct unannounced and regular visits to detention facilities. She wondered how the State party planned to put in place sanitary conditions and to prevent the spread of communicable diseases, such as coronavirus disease (COVID-19), in detention centres. What training and support was available to prepare prison staff to manage public health crises in detention facilities?
4. **Mr. Yigezu** said that he would be grateful for information on the measures taken to develop and implement a robust and comprehensive anti-trafficking strategy; deliver enhanced training to law enforcement, immigration and judicial officials to improve their ability to identify and protect victims of trafficking; and provide victims of trafficking with legal alternatives to deportation.
5. The Committee wished to obtain statistical data on the number of trafficking victims identified and the number referred to the appropriate support services, in addition to the number of investigations initiated, persons prosecuted for trafficking crimes and convictions made. In addition, it would welcome information as to whether victims of trafficking had been provided with adequate remedies such as compensation.
6. He would like to know what measures would be taken to remove unnecessary barriers to birth registration and to ensure that stateless persons enjoyed the same rights and treatment as nationals. He wondered whether the State party intended to establish a statelessness determination procedure and strengthen its legislative framework on statelessness by acceding to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness.
7. It would be of interest to obtain further details on the draft law to prohibit corporal punishment, including whether it would ban all forms of corporal punishment in all settings. He wished to know what measures the State party would take to ensure that acts of child abuse were effectively investigated, perpetrators were prosecuted and punished and child victims had access to adequate remedies, including specialized care.
8. **Mr. Carazo** said that he would like to know how the Government ensured that all migrants and asylum-seekers had fair and timely access to proceedings to determine their status, whether the decisions taken in their cases were appealable and whether their specific needs were considered. Were any changes to policy or regulations envisaged to strengthen their rights?
9. He would be grateful if the State party could indicate to what extent Indigenous and tribal peoples were represented in political decision-making positions and how their representation would be increased and provide examples of the successful inclusion of Indigenous and tribal peoples' perspectives in recent policy or legislative decisions. He would be curious to learn how the Constitutional Court ruling of 5 August 2022 had impacted those communities' participation in public affairs and what court decisions had been taken to implement the ruling.
10. He wondered whether the free, prior and informed consent of Indigenous and tribal peoples was sought in all decisions affecting them and whether the State party could indicate

the status, provisions and objectives of the bill on the collective rights of Indigenous and tribal peoples. He would like to know what steps were being taken to accelerate the adoption of a legal framework for collective land rights and territorial demarcation, with the full and effective participation of Indigenous and tribal peoples, which was fully aligned with international standards and jurisprudence. How did the Government ensure that land titles and permits for natural resource extraction were only issued with the free, prior and informed consent of the Indigenous and tribal communities affected?

11. It would be of interest to hear how the judgments of the Inter-American Court of Human Rights had been implemented, both in general and in the specific cases of the Moiwana community and the Saramaka and Lokono peoples. He wondered how the rights and interests of Indigenous and tribal peoples were incorporated into national development plans and policies and how the Environment Framework Act had been applied to protect the rights of those communities.

12. **Mr. Helfer** said that he would like to know when the judiciary and Public Prosecutor's Office was expected to reach the full complement of judges and prosecutors and how the State party intended to ensure that the financial structure of the judiciary respected the principle of judicial independence. He would welcome further details on the enforcement of the Code of Conduct for Judges and on the complaints procedure, including whether it had been used and, if so, how the complaints had been investigated. What were the consequences for judges who violated the Code of Conduct?

13. He would be grateful if the State party could provide additional details about the plan to decentralize the judiciary and about the measures that would be taken to address the practical challenges faced in particular by Indigenous and traditional peoples in obtaining access to justice. He wondered how the State party planned to recruit and train the experts required to expedite the resolution of court cases, particularly for cases involving cross-border crimes and minority languages.

14. Lastly, he wished to obtain further information on the current funding levels for the Legal Aid Bureau, on the State party's efforts to establish Bureau offices in remote areas of Suriname and on the improvements that would be made to the legal aid programme following its review at the start of 2024.

15. **Ms. Tigroudja** said that she would be grateful for information about the apparent banning of a book entitled *Corruption at the Highest Level*, which alleged corruption on the part of the President and Minister of Agriculture, and about reports of intimidation against the whistle-blowers and journalists involved with the book. She wondered whether investigations or proceedings were under way in respect of alleged intimidation and harassment, including judicial harassment, of journalists and human rights defenders. She would appreciate updates on the private members' bill that was intended to bring the Penal Code into line with article 19 of the Covenant and on the proposed freedom of information act.

16. In view of the Committee's preference for notification regimes, stated in general comment No. 37 (2020) on the right of peaceful assembly, she wished to know whether article 49 of the Police Penal Code requiring authorization for assemblies remained in force. She would welcome additional information on the grounds for the reported arrest and detention of protesters in February 2023. The Committee was concerned at the wide range of alleged offences for which some of the protest leaders were being prosecuted, which made it difficult to ensure that arrests and convictions were in line with article 21 of the Covenant, and would monitor the verdict to be handed down to one of the organizers in early August 2024. Lastly, she would appreciate the delegation's comments on whether the small number of participants in a related protest called after February 2023 was due to fear of prosecution for participating.

*The meeting was suspended at 10.45 a.m. and resumed at 11.15 a.m.*

17. **A representative of Suriname** said that reporting of all births was compulsory, regardless of the parents' residence status. A birth certificate was issued regardless of residence status, but the children of parents with irregular immigration status did not enjoy rights simply by virtue of possessing a Surinamese birth certificate. Corporal punishment

remained prohibited in all education settings, public and private, and in all forms of care institution. All accusations of child abuse were investigated thoroughly and perpetrators were prosecuted and imprisoned. All children up to 16 years of age received basic health care from the State, free of charge; if specialized care was needed, the State provided it. In 2021, a subsidiary body of the Council of Ministers had been made responsible for child protection.

18. The Government's view was that it was unable to ensure that representatives of Indigenous and Maroon tribal communities were elected in proportion to those communities' shares of the total population because electoral candidates must be nominated by the political organization to which they belonged. The next elections would be held on 25 May 2025.

19. International treaties took precedence over the Constitution and domestic law; care was taken to prevent any conflicts between new legislation and treaties. The Ministries of Foreign Affairs, Justice and Police, and Defence would jointly advise the Council of Ministers to ratify the Second Optional Protocol to the Covenant, aiming at the abolition of the death penalty. While Suriname was unreservedly a party to the first Optional Protocol to the Covenant, the Government could have done more to inform the public about the rights derived from the Protocol.

20. The Government had responded to the decision of the Constitutional Court in respect of the Electoral Act by tabling a bill reforming the rules governing the presentation of candidates, but there had been no need to legislate in response to the Court's decision regarding the Amnesty Acts. The proceedings of the Court of Justice were governed by the Act on the Organization and Composition of the Surinamese Judiciary, which dated from 1936 and had last been amended in 1994; it had been decided that the Act would be amended to increase the Court's independence with regard to the management of its budget. None of the decisions taken pursuant to the Civil Emergency Execution Act had entailed the violation of any of the rights under article 4 (2) of the Covenant.

21. Anyone who had experienced ill-treatment at the hands of any of the security forces could report the matter to the police or to the police department responsible for investigating misconduct by officers, which reported to the Attorney General. Such cases went before the Court of Justice, which also decided whether to grant compensation to any alleged victims.

22. With regard to the protests in Pikin Saron, the revoked permits had been granted by the previous Administration. Prior to the protests in 2023, his Government had already decided to enact a bill on land rights during its term. The deliberations about permits and demarcation were all components of the procedure to have that bill made law.

23. Under article 8 of the Constitution, the equality of all persons, including lesbian, gay, bisexual, transgender and queer persons, was guaranteed. Nevertheless, every effort was also made to apply the principle of non-discrimination in all new legislation.

24. Since the submission of the report, the sole State-run shelter for victims of domestic violence had closed; currently, the only two shelters were run by non-governmental organizations (NGOs). The Government was seeking a suitable location for establishing a shelter in Paramaribo. Shelters were also needed in Nickerie and Marowijne districts. The Government was exploring the possibility of setting up shelters in partnership with NGOs and of obtaining funding from the United Nations and other international donors. The principal challenges were lack of human and financial resources and, while the Government was in the process of establishing the four supervisory boards provided for in the Care Act, it was struggling with the high turnover of civil servants; the Government would continue its efforts to bring in staff from other departments. Between 2021 and 2022, a consultant had been engaged to conduct a review of the Care Act, in which representatives of civil society and the National Assembly had participated, along with other stakeholders. While it was implementing the recommendations from the review, the Government was, among other measures, continuing to subsidize State and private care institutions.

25. The legal form chosen for the National Human Rights Institute had been selected to confer on it a high degree of autonomy; in particular, it enjoyed a certain degree of financial independence. The Institute exercised its powers in respect of human rights throughout Suriname, without any interference from the State.

26. **A representative of Suriname** said that the National Human Rights Institute would be composed of an odd number of a minimum of five and a maximum of nine members. Its membership would reflect the plurality of Surinamese society, taking into account gender equality and inclusivity. All rules regarding the working methods and decision-making processes of the Institute, as well as the tasks of its secretariat and support staff, would be adopted internally.

27. Members would be appointed by the President of the Republic for a period of six years, renewable once. They would be selected by a committee made up of five persons nominated by, among others, the High Court of Justice, the Public Prosecutor's Office, the National Assembly and civil society. That committee would be formed within 30 days following entry into force of the law establishing the Institute. All members of the Institute must demonstrate specific knowledge of and affinity with at least one of the following areas of human rights: civil and political rights, economic, social and cultural rights, children's rights, women's rights, rights of persons with disabilities, collective rights and the rights of migrants and refugees.

28. In accordance with the Paris Principles, the National Human Rights Institute would enjoy operational and financial independence from the Government. Its budget would be deposited in its own separate bank account in six-month instalments. Members of the Institute would be forbidden from holding any other public offices or functions and from participating in other representative bodies or political organizations. However, the Institute would be authorized to collaborate with governmental and non-governmental organizations and regional and international stakeholders in the context of its efforts to protect and promote human rights.

29. Indigenous and tribal peoples had been consulted during the preparation of the draft law, and their input would also be taken into account within the Institute's decision-making processes. A dedicated chamber was to be established to deal with all matters concerning the collective rights of Indigenous and tribal peoples.

30. The Institute would have the power to consider complaints regarding alleged human rights violations submitted by individuals or organizations. To do so, it would be authorized to request information from and hold hearings with the parties to complaints and their representatives. Hearings and deliberations regarding a complaint would not be made public and, to protect the privacy of citizens, the Institute would ensure the confidentiality of all personal information provided in the context of a complaint. The Institute would be authorized to report on and make recommendations concerning the protection and promotion of human rights. It would have the power to examine any questions or cases that were directly or indirectly related to human rights and to issue advice on possible decisions or measures. It would have the authority to conduct visits at any time to open and closed establishments and to freely hold conversations with persons housed there voluntarily or involuntarily. The key challenge facing the Government would be to ensure that the Institute was allocated sufficient financial and human resources to enable it to fulfil that mandate.

31. **A representative of Suriname** said that all prisoners were entitled to food, clothing, medical care, education, recreation, wages, visits and religious assistance. The Corps of Penitentiary Officials was financially dependent on the Ministry of Justice and Police, and the Government had a duty to ensure that it was allocated sufficient resources to enable it to carry out necessary maintenance works and ensure that all prisons provided a clean and safe living environment for inmates. Each prison had a doctor, who was assisted by prison officers trained in providing medical support. In cases of serious medical emergencies, prisoners could be referred to a hospital to receive specialist treatment.

32. Since December 2023, the Ministry of Justice and Police and the Legal Aid Bureau had been working on a project aimed at decentralizing the administration of justice and guaranteeing access to free legal aid for people who lived outside Paramaribo. In Brokopondo and Marowijne districts, local residents were being recruited to act as interpreters and to assist with the provision of legal aid. The latter were required to complete a short training internship in Paramaribo before assuming their new duties. It should be noted that staff from the Legal Aid Bureau also travelled to districts outside the capital to provide legal aid services; however, owing to staff shortages, they were only able to make one visit per month to each

district. All arrested persons had the right to legal assistance, and the State covered the cost of a lawyer for those who could not afford one. Lawyers could visit clients who were serving a custodial sentence on any day of the week, and prisons were equipped with special rooms to ensure that they could meet in privacy.

33. A commission chaired by a judge had been put in place to oversee detention conditions and the conduct of officers at places of deprivation of liberty, and the Ministry of Justice and Police had launched a project to install surveillance cameras in all prisons and police stations. Although pretrial detainees and prisoners already had access to health care, the Government was eager to strengthen those services and was in the process of concluding an agreement with the State insurance company concerning the structured provision of free medical care in places of deprivation of liberty. Minors of both sexes were currently held in a separate building at one of the national prisons. The Government's ultimate aim was to establish a dedicated juvenile correction facility but, although construction work had started, the project had since been put on hold. As a matter of course, prisoners who had been convicted of serious crimes were also held separately from those who had committed minor offences.

34. The Surinamese Government had not been alone in struggling to control the spread of COVID-19 in prisons. In his opinion, countries all over the world had been forced to decide whether they were prepared to place temporary restrictions on the rights of prisoners in order to protect them from the disease. Faced with that dilemma, the Government had chosen to make the health of inmates its number one priority.

35. In order to be upgraded from tier 2 to tier 1 by the Department of State of the United States of America, his country had had to fulfil a number of criteria in relation to its efforts to combat trafficking in persons. The Government had successfully demonstrated that Suriname provided trafficking victims with access to legal aid and consular services, as well as the possibility to return to their country of origin. The number of people working in the Trafficking in Persons Department had increased to 14, and everyone in the Department received regular training. The Government had also carried out a number of anti-trafficking projects, including in partnership with the International Law Enforcement Academy, to strengthen the training provided to its officials and improve the information and shelter services offered to victims.

36. A dedicated unit had been established within the Ministry of Natural Resources to carry out background assessments concerning all requests for mining permits, including by conducting interviews with residents in the areas affected. Final decisions on such requests were based not just on the recommendations issued by that unit but also on the information provided by the local media and journalists.

37. In order to ensure judicial independence, the High Court of Justice had its own budget. Members of the public were entitled to submit complaints concerning the conduct of lawyers to the president of the High Court, who had the power to investigate and resolve such claims. Members of the media in Suriname were also free of government interference and enjoyed total freedom to carry out their journalistic investigations. They had open access to public institutions, and journalists were often spontaneously granted interviews with government officials without having made a prior appointment.

38. Members of the public had the right to organize peaceful gatherings and demonstrations. However, the Government was responsible for ensuring the safety of all involved; therefore, organizers were obliged to notify the police of their plans in advance so that, if necessary, officers could be deployed to ensure that the assembly was conducted in a peaceful and safe manner.

39. **Mr. Yigezu** said that he would welcome statistical information concerning the number of people who had been prosecuted for the crime of trafficking in persons during the reporting period and clarification as to whether trafficking victims enjoyed adequate access to shelters in the State party. With respect to the latter, the delegation might also like to share any specific challenges the Government faced in its efforts to provide shelter for trafficking victims.

40. He wished to know whether the State party took the necessary steps to ensure that children born to undocumented migrants were registered immediately after birth, in accordance with article 24 (2) of the Covenant. If so, it would be interesting to know what

specific measures were taken to ensure that their births were registered. He would also like to know whether an asylum determination procedure had been put in place and whether the State party would consider signing the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness. Lastly, he would welcome updated information on the progress made by the Government with the preparation and adoption of specific legislation on corporal punishment.

41. **Ms. Kran** said that she would welcome a response to her questions raised in the previous meeting on impunity and incommunicado detention; the latter in particular was often associated with serious human rights violations and, having been raised in previous dialogues with the State party, appeared to be a persistent issue.

42. She wished to know what measures the State party had taken to strengthen internal reporting mechanisms in places of deprivation of liberty, to thoroughly investigate acts of violence and misconduct, to ensure access to justice for persons in detention who had suffered cruel or inhuman treatment and to impose sanctions commensurate with the seriousness of such offences. She wondered what processes were followed by any oversight mechanisms in place to ensure that living conditions and medical care in detention facilities complied with international standards and how effective those mechanisms had proven to be.

43. During the COVID-19 pandemic, overcrowding and shortages of water and cleaning supplies had exacerbated the spread of the disease in detention facilities. She would like to know what comprehensive strategies were in place to safeguard prisoners' rights and well-being in future public health crises and whether detainees and prison staff had received access to COVID-19 vaccines. She wondered what steps had been taken to reopen detention centres that had been closed and to ensure that they met international standards and had access to health-care equipment. She wished to know how the State party was addressing the issue of overcrowding in prisons, taking into account the United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules), and whether prison staff received training or support in effectively managing public health crises in detention facilities.

44. **Mr. Carazo** said that he wished to know whether there was awareness among the public and Government of the urgent need to introduce new legislation and public policy to strengthen the collective right of Indigenous and tribal peoples to land and natural resources, in consultation with the peoples concerned, in advance of upcoming oil and gas exploitation projects in the State party. He wondered whether any legislation on environmental protections was under development and what the timeline was for the introduction of necessary amendments to the Environment Framework Act. He also wondered whether civil society organizations and Indigenous and tribal communities were consulted in the planning, monitoring and follow-up of planned extractive activities and whether distributive policies would be introduced to ensure that the income expected from such activities was used to address economic disparities and improve the enjoyment of all human rights, particularly those of Indigenous and tribal communities.

45. On 26 July 2023, the Special Rapporteur on the rights of Indigenous Peoples, the Special Rapporteur on extrajudicial, summary or arbitrary executions and the Special Rapporteur on the rights to freedom of peaceful assembly and of association had issued a communication to the Government of Suriname expressing their concern regarding the use of excessive force by law enforcement against Indigenous individuals, the ill-treatment of detainees by law enforcement officials, the continued lack of demarcation and titling of Indigenous lands and the granting of logging and extractive concessions in the ancestral territories of Indigenous Peoples without obtaining their free, prior and informed consent. Could the delegation comment on those concerns?

46. **Ms. Tigroudja** said that, while the Committee held that it was permissible to require demonstrators to inform the authorities of the details of planned demonstrations, general comment No. 37 (2020) set out that such notification should not constitute a request for authorization, nor should authorization be required for a demonstration to take place. The Committee was concerned that the State party's legislation required demonstrators to obtain authorization from the authorities.

47. **Mr. Helfer** said that strides had been made in ensuring access to justice, the application of the Covenant and the independence and decentralization of the judiciary. It

would be worthwhile and inexpensive to increase transparency and public awareness of that progress, particularly among stakeholders and communities living in outlying areas, perhaps through the launch of a website.

48. **A representative of Suriname** said that the children of migrants in an irregular situation who were born in the territory of Suriname were registered in the country's birth register, but not the population register. Asylum-seekers could apply for a resident permit, which could later be extended; they had free movement of labour and travel within Suriname and their children could attend school.

49. His Government was not aware of any shortages of water or other supplies in prisons during the COVID-19 pandemic or of the closure of any detention centres. During the pandemic, goods had been received from across the world to sustain the prison system, and prisoners had received vaccinations. There was no incommunicado detention in the country, as prison management informed police stations of the number of detainees being held each day to ensure the provision of food for all; decisions to detain any person were made jointly between police officers and the Public Prosecutor's Office.

50. Seminars and educational activities had been organized by the Government, the State oil company and investors to encourage engagement with the oil and gas industry. The Government would take on board the Committee's suggestions regarding the notification of demonstrations and the communication of policy decisions to those living in remote areas. The delegation was grateful for the open and frank dialogue with the Committee, from whom much had been learned.

*The meeting rose at 12.50 p.m.*