



# International Covenant on Civil and Political Rights

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## Human Rights Committee 141st session

### Summary record of the 4128th meeting

Held at the Palais Wilson, Geneva, on Wednesday, 10 July 2024, at 3 p.m.

*Chair:* Ms. Abdo Rocholl

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*The meeting was called to order at 3.05 p.m.*

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

*Fourth periodic report of Suriname (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. **A representative of Suriname** said that recent legal reforms included amendments designed to strengthen civil liberties and that mechanisms for constitutional review had been established to enable the legal system to adapt to evolving international human rights norms. Judicial officers were familiarized with international human rights standards through capacity-building programmes.
3. In January 2022, the Minister of Justice and Police had formed a commission to operationalize the National Human Rights Institute in collaboration with the United Nations Development Programme. Following consultations with various actors, including the public and private sectors, civil society, the media, the Office of the United Nations High Commissioner for Human Rights and the Inter-American Commission on Human Rights, a bill had been drafted, with a focus on the institution's mandate and independence, and was being reviewed by the State Council before being submitted to the National Assembly. Workshops directed at civil society and parliamentarians had been held to raise awareness of the institution.
4. Recommendations had been made to improve the legal aid programme following an assessment in January 2024, and month-long civil proceedings were held in the interior districts of Brokopondo and Marowijne as part of a judicial decentralization project.
5. The Anti-Corruption Commission, an independent body tasked with prevention, early detection of abuse of power in State institutions and registration of declarations on income, assets and liabilities by high-level officials, had been established in May 2023. Breaches were referred to the Attorney General for investigation. Future whistle-blower protection programmes should encourage the public to report corrupt activities without fear of retribution, thus fostering a culture of accountability and integrity. In addition, the parliament had launched public awareness campaigns on the detrimental effects of corruption on society and the economy with the aim of cultivating a zero-tolerance attitude towards the conduct.
6. The Constitution provided for a state of emergency to be declared in the event of war or danger of war, martial law or any other state of exception or for reasons of State security, public order and morality, as well as for temporary restrictions on rights during such periods. A civil state of exception had been declared, with authorization of the National Assembly, in response to the outbreak of the coronavirus disease (COVID-19) pandemic.
7. Policies and laws protected individuals from discrimination based on race, ethnicity, religion, gender, sexual orientation and other statuses, and affirmative action programmes had been adopted in the public and private sectors to promote diversity and inclusion. Measures to monitor compliance with anti-discrimination laws included the National Inclusive Labour Market Commission, which had begun awareness-raising activities on equality in the workplace.
8. The Government was committed to continuing to implement activities and programmes in the seven priority areas of the gender vision policy document for the period 2021–2035. Comprehensive laws against domestic violence, including strict penalties for offenders, were rigorously enforced, the Bureau for Victim Care provided victims with support services, such as shelter, a help line and counselling, and a domestic violence course had been introduced in the curriculum for members of the police, military and penitentiary service.
9. Since the country's accession to the Convention against Torture in 2021, several meetings had been held with the Convention against Torture Initiative to discuss further steps to be taken to comply with the Convention, and the Initiative had held online training for law enforcement officers and other actors regarding interview techniques, among other topics.

10. Oversight bodies within the police force and the Attorney General's Office provided an additional layer of accountability, while legal aid services ensured that all persons, irrespective of their financial situation, had equal and fair access to justice and were able to seek redress for violations of their rights.

11. Reforms of the penitentiary system were focused on improving prison conditions to meet international human rights norms. Prisoners enjoyed access to health care, education and rehabilitation programmes to promote their reintegration into society. Furthermore, efforts were under way to reduce overcrowding in prisons through alternative sentencing and diversion programmes for non-violent offenders, with an emphasis on restorative justice approaches.

12. The legal framework and penalties for trafficking offences had been strengthened to ensure that perpetrators were held accountable, and border control and law enforcement officers received regular training in detecting and responding to trafficking cases. Victim protection and support services, including safe houses and legal assistance, had been set up to help victims recover and rebuild their lives. Suriname was part of international cooperation to combat trafficking networks and was considered by the Department of State of the United States of America as a tier 1 country with sufficient effective measures to counter human trafficking and safeguard victims. The Government collaborated with international organizations to ensure that its refugee policies were in line with global standards and best practices.

13. To ensure access to justice, the Court of Justice currently had some 30 candidates in training to adjudicate civil and criminal cases, and the Attorney General had launched a training programme for the Public Prosecutor's Office, in which some 15 candidates were taking part. Furthermore, priority was placed on the use of alternative dispute resolution mechanisms, such as mediation, to provide timely, cost-effective solutions and thereby relieve the burden on the judicial system.

14. As of May 2024, Suriname had moved up in the World Press Freedom Index, from 48th to 28th place. Platforms for dialogue and debate fostered a culture of open and inclusive discussion on important issues, thus promoting freedom of expression. Training in the management of gatherings and demonstrations, with a focus on human rights and minimizing the use of force, was regularly provided to law enforcement personnel.

15. Strict laws and enforcement mechanisms, including police child protection units, were in place to protect children from exploitation and abuse and hold perpetrators accountable. The involvement of children in decision-making processes was promoted. In fact, active participation in public affairs by all citizens was encouraged.

16. **Mr. Helfer**, welcoming the fact that the State party's two highest courts had given direct effect to the Covenant and the Committee's general comments, said that it would be useful to know whether the provisions of the Covenant would be applied even when they were found to conflict with national laws. Given how few individual communications relating to Suriname the Committee had received compared to the Inter-American Court of Human Rights and the Inter-American Commission on Human Rights, he would welcome information about awareness of the first Optional Protocol to the Covenant, and particularly the communications procedure, among judges, prosecutors and lawyers in the State party.

17. In addition, he invited the State party to update the Committee on the specific legislative, administrative and other measures being taken to ensure full compliance with the ruling of the Constitutional Court that the Amnesty Acts of 1989 and 2012 were unconstitutional, and to comment on reports that the Constitutional Court might be merged with another institution. He was interested in hearing more about the outcomes of the training initiatives for judges and about the State party's plans to accede to the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, including the timeline for ratification and any challenges faced in that connection.

18. He wondered whether the reference to article 4 (2) of the Covenant contained in the Civil Emergency Execution Act precluded the Government from suspending the rights which that article expressly listed as non-derogable. It would also be interesting to know whether

the broader language used to define a state of emergency in the Act was applied in a manner consistent with the narrower definition given in the Covenant and whether the Act modified or expanded the President's constitutional power to declare a public emergency. While acknowledging that the COVID-19 pandemic had posed significant hardships for Suriname, the Committee wished to know whether any Covenant rights had been suspended during the pandemic and how the State party had ensured that any such restrictions had been consistent with the Covenant.

19. **Mr. Carazo** said that, given the importance of independent institutions for the promotion and protection of human rights, he would welcome information on the planned structure, governance model, membership requirements and staff recruitment practices of the National Human Rights Institute referred to in the bill presented to Congress in 2022. It would be useful to know how the operational and financial independence and sustainability of the Institution would be assured and whether the views of civil society organizations and Indigenous and tribal groups had been taken into account when drafting the bill. He wondered what the complaints process for the Institute would be and whether the Institute would be able to conduct its own investigations and present recommendations. It would also be interesting to learn what challenges the State party expected to face in the operation of the Institute and whether the bill contained any special provisions regarding the need to promote and protect the human rights of Indigenous and tribal populations.

20. The Committee wished to know whether the State party planned to amend the Criminal Code to include a definition of the crime of torture which aligned with international standards and whether any mechanisms existed for handling allegations of torture, ill-treatment or excessive use of force. The Committee had received information regarding the deaths of two Indigenous individuals in Pikin Saron in May 2023. Had the State party investigated those deaths and discussed the topic in parliament?

21. **Ms. Tigroudja** said that, while the Committee welcomed the State party's announced commitment to combating corruption, it had received reliable reports that various obstacles remained in that regard, including in the form of intimidation of journalists. The Committee therefore wished to know whether the Anti-Corruption Act was in force and whether the associated review committee had been established. It would also welcome information on whether the Anti-Corruption Commission was active, how the State party guaranteed its independence, impartiality and effectiveness and whether the work of the Commission overlapped with that of the review committee for the Act. It would be further interesting to learn whether the 2023 decree on asset declaration by public officials was in force, how many investigations regarding corruption were ongoing and what had been the results of any such investigations conducted between 2010 and 2019.

22. With regard to discrimination, she would welcome information on the implementation of the concluding observations issued by the Committee on the Elimination of Racial Discrimination and the recommendations flowing from the universal periodic review process in 2022. It would be interesting to learn what progress had been made in adopting legislation to criminalize hate speech and all forms of discrimination. She wished to know whether the State party had examined the reasons why it had yet to receive any complaints of discrimination.

23. It would be useful to know what measures had been taken to implement Advisory Opinion OC-24/17 on gender identity and equality and non-discrimination of same-sex couples of the Inter-American Court of Human Rights and to educate the public about discrimination on the basis of gender and sexual orientation. It would also be interesting to learn what tangible measures had been introduced to provide legal recognition for transgender identities and to combat the discrimination experienced by lesbian, gay, bisexual, transgender and queer persons in access to services, especially medical services. In addition, she wished to know what measures had been taken to tackle structural discrimination against Indigenous and tribal populations and against asylum-seekers, in particular their lack of access to education and health services and their high levels of exposure to pollution.

24. **Ms. Kran** said that, in December 2023, the Supreme Court of Suriname had upheld the 20-year prison sentence handed down against the former President Desiré Delano Bouterse – who had yet to be located – for the torture and extrajudicial execution of 15

political opponents in 1982. In that context, she wished to know what steps had been taken to enhance accountability and transparency in efforts to locate and arrest accused persons, including Mr. Bouterse, and what measures were in place to ensure the independence of the judiciary in high-profile trials. It would be useful to know what safeguards were in place to ensure the accountability of all individuals involved in gross human rights violations, regardless of status, and how the State party ensured that all criminal investigations and prosecutions were conducted in line with international standards, in particular the Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol) and the Minnesota Protocol on the Investigation of Potentially Unlawful Death.

25. In 1986, a State-led military operation in the village of Moiwana had resulted in the deaths of 39 community members and the destruction of community property. Given the findings of the Inter-American Court of Human Rights regarding the State party's failings in that case, she wished to know what measures the Government was taking to ensure that grave human rights violations committed during the de facto military regime were investigated effectively. She would also be interested to know when the State party expected to enact the bill on whistle-blower protection, what measures were available to protect witnesses against intimidation in the meantime and how the State party ensured that meaningful reparations commensurate with the losses suffered were available to all victims of human rights violations.

26. Given the powers granted to judges in Suriname to ban visitation for detainees implicated in investigations of serious offences and to extend pretrial detention, and given the lack of a bail system in the country, the Committee wished to know what measures were in place to guarantee that detainees had unrestricted and prompt access to legal counsel of their choice, including during investigations of serious offences, and how the State party intended to address the lack of clear rules governing access to counsel. It would also be useful to know what safeguards were in place to ensure compliance with article 9 of the Covenant, what steps were being taken to develop a bail system to protect detainees' rights under article 9 and reduce the use of pretrial detention and whether the courts ever used alternatives to pretrial detention. In addition, as the Code of Criminal Proceedings did not comply with the Committee's general comment No. 35 (2014), she wished to learn what steps the State party was taking to ensure that all arrested or detained persons were brought before a judge within 48 hours – or, in the case of juveniles, within 24 hours.

27. Noting that assistant district attorneys and police inspectors appeared to have the power to authorize incommunicado detention, she wished to know what the State party was doing to prohibit such detention and ensure that detainees held in those conditions had access to legal representation and medical care. What reparations and rehabilitation support were available to detainees who had experienced incommunicado detention?

28. As the only psychiatric hospital in Suriname was located in Paramaribo, the Committee would be interested to learn what measures the State party was taking to ensure that persons deprived of liberty – especially those held outside the capital – had effective and timely access to mental health care and what guidelines and training were available to prison staff involved in the detention of individuals with mental health needs. It would further be useful to know of how many detainees with intellectual or psychosocial disabilities the Attorney General had been notified during the reporting period and what action had been taken in that regard, including to ensure that their rights were protected and their needs met. Lastly, she wished to know what measure the State party was taking to ensure that youth suspects were detained only as a last resort and for the shortest time possible, in line with general comment No. 35 (2014).

29. **Mr. Yigezu** said that he would welcome updated information on the status of bills on the equal treatment of men and women, the revision or repeal of gender-discriminatory provisions contained in the Personnel Act of 1962 and the establishment of a mechanism to handle complaints of gender-based discrimination, including on the timelines for their adoption. He wished to know what legislative and regulatory measures had been taken to uphold the principle of equal pay for equal work for women and men in the public and private sectors. He noted the low rate of participation of women in decision-making roles and wondered what was being done to address gender stereotypes, including on the roles and

responsibilities of women in society and within the family; eliminate gender stereotypes in the media; and incorporate relevant programmes in primary and secondary curricula.

30. He would like to know the timeline envisaged for the amendment of the Civil Code to raise the minimum age of marriage to 18 years for both girls and boys, in accordance with international standards. Information on progress made by the State party to reduce the rate of child marriage, including in respect of traditional and religious marriages, would also be helpful.

31. He would be interested to receive detailed information on the measures being taken to enforce the law on combating domestic violence. Data on the number of complaints lodged, investigations and prosecutions launched and convictions handed down in such cases during the reporting period would be appreciated, as would details of the remedies that had been provided to victims. The delegation might also provide similar data concerning other forms of violence against women, including rape and sexual harassment. He would be curious to know whether the State Party would allocate funding to establish additional shelters for victims of gender-based violence, in particular to improve access by women and girl victims in rural areas; set up a confidential mechanism to receive complaints from victims of gender-based violence; and work with civil society organizations in the provision of community-based support, especially in areas where formal institutions for reporting gender-based violence and domestic violence were lacking. Lastly, he wondered whether the Government might consider amending the laws recently adopted on combating violence and sexual harassment in the workplace and on equal treatment in labour matters to extend their scope of application to include the public sector, which was the largest single employer in Suriname.

*The meeting was suspended at 4.15 p.m. and resumed at 4.50 p.m.*

32. **A representative of Suriname** said that the Government had no plans to modify the functions of the Constitutional Court and was endeavouring to provide it with all the resources it needed. The International Criminal Police Organization (INTERPOL) had published a Red Notice for the arrest of the former President, Mr. Bouterse; it had also helped to track down another wanted individual in Brazil. Efforts by the national police and the intelligence services to apprehend Mr. Bouterse nevertheless continued unabated.

33. Regarding the independence of the judiciary, the courts and the Attorney General's Office functioned entirely independently of the executive branch and in accordance with all relevant laws and regulations. While the Anti-Corruption Act had been enacted in 2017, the requisite anti-corruption commission had not been established until the current Government had come to power and was therefore in its infancy. His Government was striving to provide it with the resources necessary for its functioning, while, at the same time, meeting its obligations to international financial institutions. It was worth noting that, even before the adoption of the Anti-Corruption Act, a number of high-ranking State officials had been convicted of corruption on the basis of provisions of the Criminal Code.

34. The people involved in the events that had occurred in Pikin Saron had committed a number of criminal offences. Several individuals had been taken hostage, shots had been fired at two police officers, and a police station and a forestry management checkpoint had been burned down. The commission of criminal acts was not the proper way to demonstrate dissatisfaction with government action. It was appropriate now to await the decision of the Inter-American Court of Human Rights.

35. In accordance with the decision of the Inter-American Court in the case of *Moiwana Community v. Suriname*, financial reparations had been paid to the families of the victims and, in an effort to investigate the case, the Attorney General had called for witnesses to come forward.

36. When drafting the bill on the national human rights institution, the Government had endeavoured to adhere to the Paris Principles and to provide for the financial independence of the institution. It would be accountable to the Chair of the National Assembly and have autonomy over the management of its budget. Organizations representing Indigenous and tribal peoples had been consulted during the drafting process and their comments had been taken into account.

37. On freedom of expression, in recognition of the importance of investigative journalism in promoting accountability, the Government had drafted a bill on freedom of access to public information, which would shortly be debated in the National Assembly.

38. **A representative of Suriname** said that the Act on Equality in Labour adopted in 2022 provided for the mandatory establishment of internal complaint mechanisms. Employers who had fewer than 30 employees and were unable to handle complaints themselves must refer them to the Labour Inspection Department for further investigation. Similar provisions were contained in the 2022 Act on Violence and Sexual Intimidation in the Workplace. The Equal Treatment Act established the right to equal pay for work of equal value, stating that employers must not distinguish between male and female employees when determining wages and other employment conditions.

39. The gender vision policy document 2021–2035 contained a series of long-term interventions aimed at eliminating discriminatory stereotypes and temporary special measures to combat gender discrimination. The Bureau of Gender Affairs provided regular training and information sessions on gender-related topics, including gender bias and stereotypical roles and responsibilities of women in the family and society, for different target groups. Issues relating to gender stereotyping, gender discrimination, gender equality and violence against women had also been included in the curricula of professional higher education for civil servants.

40. The draft revised Civil Code, which was currently being discussed in the National Assembly, provided for raising the minimum age of marriage from 15 years for girls and 17 years for boys to 18 years for both.

41. Cases of domestic violence could be reported to the police. There had been 608 cases of domestic violence in 2023; 422 of the victims had been women, 9 cases had involved rape and 3 cases had involved sexual harassment. The Government had not established any additional shelters for victims of gender-based violence. Two shelters operated by non-governmental organizations (NGOs) provided safe housing for homeless children, single mothers and vulnerable women, including victims of domestic violence.

42. **A representative of Suriname** said that all persons arrested must be brought before an investigating judge within 48 hours of their arrest. The grounds for their arrest were reviewed by a magistrate within three days of arrest. All arrests and detentions were conducted lawfully, in accordance with due process, and reported to the Office of the Public Prosecutor. All persons arrested or detained had access to legal counsel. The Legal Aid Bureau facilitated free legal assistance to persons who were unable to pay for legal services. The wages of court-appointed lawyers had been raised for both civil and criminal proceedings.

43. All natural persons, their representatives, third parties and NGOs could file a written complaint of human rights violations to the National Human Rights Institute.

44. **Mr. Helfer** said that the Constitutional Court played an important role within the State party's judicial apparatus, and he was pleased to learn that there were no plans to modify the institution. It was also encouraging to note that the State party had removed the death penalty from the Criminal Code and the Military Criminal Code.

45. It would be useful to know how the State party made sure that non-derogable rights protected by the Covenant were upheld during states of emergency, and to find out whether those rights were also recognized as inviolable in the Civil Emergency Execution Act and the Constitution. The delegation might also indicate whether the Civil Emergency Execution Act had served as a framework for states of emergency and the related derogation of rights during the COVID-19 pandemic.

46. **Mr. Carazo** said that he would welcome additional information on legislation governing the collective lands of Indigenous and tribal peoples.

47. It would be useful to obtain more specific information on the composition of the National Human Rights Institute and the status of its decisions and recommendations. He wished to know, in particular, whether those decisions were binding. It would also be useful to find out whether the contributions from stakeholders made in the context of consultations

had been taken into account when drafting the bill establishing the National Human Rights Institute, and whether stakeholders were being kept abreast of any developments in that regard.

48. It would be useful to know whether there was a complaints mechanism for torture, ill-treatment and excessive use of force in the State party, if so, whether that mechanism was effective and whether victims of such violations were provided with an effective remedy.

49. He wondered whether the timber concessions that had sparked the anti-government protests in Pikin Saron in 2023 had been revoked.

50. **Ms. Kran** asked how the State party ensured the allocation of sufficient human and financial resources to institutions and shelters providing care and protection to vulnerable populations. It would be useful to know whether the Government might envisage engaging with civil society organizations and other stakeholders to review relevant legislation and facilitate effective implementation.

51. **Mr. Yigezu** asked whether the measures to guarantee equal treatment in the labour market were also being implemented in the public sector. He wondered whether there was a specific timeline for the adoption of the draft revised Civil Code and the associated rise in the minimum age of marriage.

52. It seemed that there were few shelters, compared to the need, so he was curious to hear about any plans to open additional shelters. He also wished to learn of any obstacles to expanding shelter capacity and wondered whether the Government might consider cooperating with civil society organizations to step up support for vulnerable children or victims of domestic violence.

53. **A representative of Suriname** said that any decisions or laws adopted in the context of a state of emergency, including during the COVID-19 pandemic, were strictly in line with domestic law and international human rights instruments to which the country was a party. The rights protected therein were upheld in all circumstances.

*The meeting rose at 5.50 p.m.*