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Suriname

The present report is a compilation of the information contained in the reports of treaty bodies, special procedures, including observations and comments by the State concerned, and other relevant official United Nations documents. It does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights (OHCHR), other than those contained in public reports issued by OHCHR. It follows the structure of the general guidelines adopted by the Human Rights Council. Information included herein has been systematically referenced in endnotes. The report has been prepared taking into consideration the four-year periodicity of the first cycle of the review. In the absence of recent information, the latest available reports and documents have been taken into consideration, unless they are outdated. Since this report only compiles information contained in official United Nations documents, lack of information or focus on specific issues may be due to non-ratification of a treaty and/or to a low level of interaction or cooperation with international human rights mechanisms.

I. Background and framework

A. Scope of international obligations¹

<i>Universal human rights treaties²</i>	<i>Date of ratification, accession or succession</i>	<i>Declarations/reservations</i>	<i>Recognition of specific competences of treaty bodies</i>
ICERD	15 Mar. 1984	None	Individual complaints (art. 14): No
ICESCR	28 Dec. 1976	None	–
ICCPR	28 Dec. 1976	None	Inter-State complaints (art. 41): No
ICCPR-OP 1	28 Dec. 1976	None	–
CEDAW	1 Mar. 1993	None	–
CRC	1 Mar. 1993	None	–

Treaties to which Suriname is not a party: OP-ICESCR,³ ICCPR-OP 2, OP-CEDAW, CAT, OP-CAT, OP-CRC-AC (signature only, 2002), OP-CRC-SC (signature only, 2002), ICRMW, CRPD (signature only, 2007), OP-CRPD and CED.

<i>Other main relevant international instruments</i>	<i>Ratification, accession or succession</i>
Convention on the Prevention and Punishment of the Crime of Genocide	No
Rome Statute of the International Criminal Court	Yes
Palermo Protocol ⁴	Yes
Refugees and stateless persons ⁵	Yes, except 1954 and 1961 Conventions
Geneva Conventions of 12 August 1949 and Additional Protocols thereto ⁶	Yes, except Protocol III
ILO fundamental conventions ⁷	Yes, except 100, 111 and 138
UNESCO Convention against Discrimination in Education	No

1. Suriname was encouraged to consider ratifying CAT,⁸ ICRMW,⁹ OP-CEDAW,¹⁰ OP-CRC-SC,¹¹ OP-CRC-AC,¹² CRPD and OP-CRPD.¹³

2. The Committee on the Elimination of Racial Discrimination (CERD) noted with interest that Suriname was considering the ratification of ILO Convention No. 169 (1989) concerning Indigenous and Tribal Peoples in Independent Countries.¹⁴

B. Constitutional and legislative framework

3. The Committee on the Elimination of Discrimination against Women (CEDAW) noted, *inter alia*, that the pace of legal reform was slow and there was a lack of real progress towards achieving women's *de jure* equality.¹⁵ CEDAW urged Suriname, in particular, to repeal discriminatory provisions in the Nationality and Residence Act, the Penal Code and the Personnel Act; to give high priority to completing the necessary legal reform¹⁶ and to give high priority to ensuring that the Convention becomes fully applicable in the domestic legal system.¹⁷ CEDAW requested Suriname to ensure that the draft law on equal treatment of women and men was extended to acts of discrimination by public and private actors and included a provision on temporary special measures.¹⁸

4. In 2010, the United Nations Country Team (UNCT) noted that the Raamwet Opvang, a key legislation package for childcare, had been drafted in 2009, but not yet signed into law by Parliament.¹⁹ UNCT indicated that the new Government elected in 2010 had highlighted children's rights as a key priority for its administration and it was therefore expected that the passage and implementation of key legislation would be high on the new agenda.²⁰

C. Institutional and human rights infrastructure

5. As of 12 January 2011, Suriname does not have a national human rights institution accredited by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC).²¹

6. In 2007, the Committee on the Rights of the Child (CRC) recommended that Suriname establish as soon as possible an ombudsperson or other independent body for monitoring the implementation of the Convention, in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles).²² In 2010, UNCT reported that the Government was in the process of preparing to establish an independent ombudsman for children as well as a monitoring and tracking system for children in institutional care.²³

7. With reference to the National Gender Action Plan 2006-2011 developed by the Government, UNCT stated that the key challenge was to strengthen the capacity of the Gender Bureau and improve networking with other organizations, in particular the recently established Bureau for Women and Child Policy of the Ministry of Justice and Police.²⁴

D. Policy measures

8. The Pan American Health Organization (PAHO) reported that there was a lack of data collection that would more clearly reveal the disparities and provide the evidence base for policy development and management.²⁵ CERD recommended that Suriname provide relevant statistical information, including on budgetary allocations, and emphasized that such data was necessary to ensure the application of adequate legislation to ensure equal enjoyment of economic, social and cultural rights by Surinamese citizens.²⁶

9. In the United Nations Common Country Assessment (CCA) on Suriname of 2006 it was stated that a deeply rooted system of patron-client relationships impeded the empowerment of local communities and the development of general policies.²⁷ UNCT indicated that Suriname had approved a National Action Plan for Children (2009–2013), which remained to be implemented²⁸ and that the national youth policy was in draft form.²⁹

II. Promotion and protection of human rights on the ground

A. Cooperation with human rights mechanisms

1. Cooperation with treaty bodies

<i>Treaty body³⁰</i>	<i>Latest report submitted and considered</i>	<i>Latest concluding observations</i>	<i>Follow-up response</i>	<i>Reporting status</i>
CERD	2007	March 2009	Overdue since March 2010	Combined thirteenth to fifteenth reports due in 2013.
CESCR	1993	June 1995		Second, third and fourth reports overdue since 1995, 2000, and 2005, respectively.
HR Committee	2003	March 2004	Submitted in May 2008 ³¹	Third report overdue since 2008.
CEDAW	2005	January 2007		Combined fourth and fifth report overdue since 2010.
CRC	2005	February 2007		Combined third and fourth report overdue since 2010.

2. Cooperation with special procedures

10. In 2006, CERD, under its early warning and urgent action procedures, recommended, inter alia, that Suriname extend an invitation to the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people for a visit on its territory.³² In a letter dated 13 November 2008, the Special Rapporteur received a request from Suriname for technical and advisory assistance regarding implementation of the judgement of the Inter-American Court of Human Rights in the case of *The Saramaka People v. Suriname*. The Court's deadline for implementation was 19 December 2010. On 20 November 2008, the Special Rapporteur readily accepted the invitation and noted his availability to proceed to work on the legislation. In 2009, the Special Rapporteur reiterated his willingness to provide this assistance.³³

<i>Standing invitation issued</i>	No
<i>Latest visits or mission reports</i>	–
<i>Visits agreed upon in principle</i>	–
<i>Visits requested and not yet agreed upon</i>	–
<i>Facilitation/cooperation during missions</i>	–
<i>Follow-up to visits</i>	–

Responses to letters of allegations and urgent appeals

During the period under review, no communications were sent.

Responses to questionnaires on thematic issues

Suriname responded to 7³⁴ of the 26 questionnaires sent by special procedures mandate holders.³⁵

3. Cooperation with the Office of the High Commissioner for Human Rights

11. In 2008, the OHCHR regional office in Panama undertook activities to support Governments in meeting their obligations to treaty bodies, including technical advice to the Government of Suriname.³⁶

B. Implementation of international human rights obligations taking into account applicable international humanitarian law

1. Equality and non-discrimination

12. CEDAW called for the integration of a gender perspective and explicit reflection of the provisions of the Convention in all efforts aimed at the achievement of the Millennium Development Goals.³⁷

13. CEDAW continued to be concerned about the persistence of patriarchal attitudes and deep-rooted stereotypes regarding the roles and responsibilities of women and men in the family and in society, as well as about persistent stereotypes found in school textbooks and curricula.³⁸ The Committee recommended, inter alia, that awareness-raising campaigns be addressed to both women and men and that the media be encouraged to project positive images of women and of the equal status and responsibilities of women and men in the private and public spheres.³⁹

14. In 2010, UNCT noted that in practice various groups such as Maroons (descendants of African slaves) and indigenous peoples suffered certain forms of discrimination.⁴⁰ In 2007, PAHO reported that 1 in 10 Surinamese, most of them indigenous peoples and Maroons, lived in the country's interior.⁴¹ Grievous inequities in terms of socio-economic development, health status, and access to health care existed between the inhabitants of the interior and those living on the coast, including: only 18 per cent of households in the interior had piped water in their homes, and only 31 per cent had sanitary excreta disposal services; women in the interior were among the poorest groups in the country; one in five Maroon deaths were HIV/AIDS-related; children there were at the highest risk for chronic malnutrition; and fewer than half of all children in the interior lived with both their parents and one in eight lived with neither parent.⁴² CERD, CRC and UNCT raised similar concerns.⁴³

15. In 2007, CRC expressed concern that discrimination against certain groups of children still existed in practice, particularly with regard to girls in general, children with disabilities, children living in poverty, children infected with HIV and/or affected by HIV/AIDS, and children belonging to ethnic minorities or indigenous peoples, recognizing the particular vulnerability of girls in these categories.⁴⁴ The Committee urged Suriname, inter alia, to expedite the establishment of the Equal Opportunity Commission and to adopt a comprehensive strategy to eliminate discrimination on any grounds and against all vulnerable groups.⁴⁵

2. Right to life, liberty and security of the person

16. In 2004, the Human Rights Committee (HR Committee) noted that while Suriname had not carried out judicial executions for almost 80 years, the death penalty remained on the statute books for the offences of aggravated murder, premeditated murder and treason. The Committee encouraged Suriname to abolish the death penalty and accede to ICCPR-OP 2.⁴⁶ In 2007, Suriname voted against General Assembly resolution 62/149 on a moratorium on the use of death penalty.⁴⁷

17. In 2007, CRC stated that it remained concerned at incidences of police brutality and the use of force against children in detention.⁴⁸ In 2004, the HR Committee stated that it remained concerned that incidents of ill-treatment of detainees continued to be reported.⁴⁹ Suriname, in its follow-up response, provided information about the authorities entrusted with the task of dealing with allegations of ill-treatment as well as on the number of complaints in the period 2005-2007. Suriname further stated that available facilities for detainees were still insufficient, most locations were overcrowded and that measures were being taken to redress this situation as a priority.⁵⁰

18. UNCT noted that, while hard data was lacking, based on reports to the school inspectorate, children were subjected to corporal punishment and psychological ill-treatment in schools.⁵¹ CRC recommended that Suriname explicitly prohibit by law all forms of violence against children, including corporal punishment, in all settings, including in the family, schools, alternative childcare and places of detention for juveniles, and that it implement those laws effectively.⁵²

19. In its follow-up response to concerns raised by the HR Committee,⁵³ Suriname provided information about amendments to the Code of Criminal Procedures according to which a detainee should be brought before a judge within 7 days rather than within 44 days after his/her arrest; noted that access of a lawyer to detainees was a matter of course; and noted that incommunicado detention happened only in extraordinary circumstances.⁵⁴

20. In 2004, the HR Committee expressed its concern at the persistence of poor prison conditions and serious overcrowding. It noted that the backlog in the adjudication of cases encountered by the judicial system contributed to this situation. Suriname should take appropriate measures to reduce the number of persons in detention and to improve prison conditions. Additional resources should be allocated to the judiciary, in order to reduce the number of detainees in pretrial detention.⁵⁵

21. UNCT noted that the Government had passed an important law on curbing domestic violence in 2009 and had made laudable efforts to gather data on gender-based violence, although information and research on the issue remained scarce.⁵⁶ In the 2006 CCA it was stated that unequal gender relations had put women at great risk of domestic violence and had made them increasingly vulnerable to HIV/AIDS and sexually transmitted infections.⁵⁷

22. UNCT indicated that reliable data on child abuse and sexual violence against children was lacking, although recent data from the Ministry of Justice and Police showed alarming numbers of minors being victims and perpetrators of sexual violence.⁵⁸ PAHO reported that in the first half of 2005, 139 cases of child sexual abuse and 59 cases of cruelty to children were reported to police. Children of Creole and Maroon descent represented two thirds of those cases.⁵⁹ CRC reiterated its recommendation that all appropriate measures be taken to introduce mandatory reporting of abuse, including sexual abuse, of children.⁶⁰

23. UNCT stated that Suriname was a destination, source and transit country for children and women migrating, legally or irregularly, internally or internationally.⁶¹ PAHO reported on human trafficking, especially for the purpose of sexual exploitation, such as commercial sex work in the mining camps in the country's interior⁶² and CCA reported on

women and girls from abroad who were brought to casinos, “clubs” and the streets of Paramaribo to work as commercial sex workers.⁶³ CRC expressed concern over reports of rape of girls belonging to indigenous and tribal groups in regions where mining and forestry operations have been developed.⁶⁴ CEDAW urged Suriname: to adopt necessary legislation and develop a comprehensive anti-trafficking strategy and plan of action to combat that phenomenon; and to pursue a holistic approach in addressing the question of prostitution and, in particular, to provide women and girls with education and economic alternatives to prostitution. CEDAW recommended that, in those matters, Suriname pay special attention to the situation of Maroon women.⁶⁵

24. CRC urged Suriname to take concrete action to address the reasons behind child labour, including through the creation of educational opportunities in the interior and support to low-income households.⁶⁶ In 2010, the ILO Committee of Experts on the Application of Conventions and Recommendations requested Suriname to take effective and time-bound measures as a matter of urgency to improve access to free basic education to all children, especially those living in the interior areas and those belonging to indigenous and minority groups.⁶⁷

3. Administration of justice and the rule of law, including impunity

25. In 2009, CERD reiterated the invitation extended to Suriname in 2004 to establish the Constitutional Court as soon as possible.⁶⁸

26. CERD noted with concern the recent trend of a growing flow of petitions regarding internal matters which had been addressed to international courts and bodies. This trend highlighted the need to fortify national courts and create a legislative framework that adequately responded to domestic matters. While noting the view of Suriname that the remedies provided under Surinamese law were sufficient to assert and seek protection of rights, CERD stressed the analysis by the Inter-American Commission on Human Rights and the judgements by the Inter-American Court of Human Rights, which found that the domestic legal system did not provide adequate effective remedies to collective rights.⁶⁹

27. In 2004, the HR Committee was concerned at the continued impunity of those responsible for human rights violations committed during the period of military rule, and referred, in particular, to the December 1982 killings and the 1986 Moiwana massacre.⁷⁰ CERD raised concerns regarding delays in the investigation and punishment of the perpetrators of the Moiwana massacre.⁷¹ The HR Committee recommended that Suriname give special priority to bringing to justice the perpetrators of human rights violations, including human rights violations committed by police and military personnel. The perpetrators of such acts must be tried and punished if found guilty, regardless of rank and political status. Suriname should take all necessary measures to prevent the recurrence of such acts. Victims and their relatives should be provided with adequate compensation.⁷²

28. UNCT acknowledged that Suriname had made significant changes as part of its judicial reforms, including reducing the detention period and recruiting more judges. However, the ability of citizens to access justice was compromised by the exorbitant legal costs of securing a lawyer. The Government provided legal aid, however, the pool of lawyers available was limited.⁷³

29. CRC urged Suriname to ensure that juvenile justice standards are fully implemented and recommended that Suriname take the necessary steps to ensure that the revised Penal Code, which raises the age of criminal responsibility to 12 years, is adopted without further delay and that this revision include the introduction of alternative measures.⁷⁴ UNCT reported on children who had been in conflict with the law receiving counseling and follow-up guidance and support, but noted that this was not always available for repeat offenders.⁷⁵ UNCT indicated that regional disparities regarding children in conflict with the

law were apparent;⁷⁶ and children were not always separated from adults in detention, partly due to limited facilities. The Government was constructing a separate child and youth prison that was due to open in 2011.⁷⁷

4. Right to privacy, marriage and family life

30. CRC remained concerned that a disparity between the minimum age of marriage for boys and girls still existed⁷⁸ and recommended that Suriname bring the minimum age for both to the same internationally acceptable level of age 18.⁷⁹

31. On birth registration, CRC recommended that Suriname continue and strengthen its efforts to register all children, especially in the remote areas of the interior, including providing the opportunity for late registration free of charge.⁸⁰

32. CRC welcomed the various legislative and other efforts made to provide care and protection to children without parental care and shared the State's concern over the high level of institutional care.⁸¹ The Committee expressed concern that most children infected by HIV or affected by HIV/AIDS were placed in residential care facilities,⁸² and that children of families in crisis situations (e.g. due to poverty), particularly in female-headed households, might end up in care facilities or police detention facilities.⁸³ UNCT reported that children in institutional care were at risk of violence, exploitation, abuse and neglect.⁸⁴

33. UNCT indicated that children with disabilities faced a number of challenges. While some children were accepted and cared for by their families, others might be placed in a childcare institution. Children with disabilities faced an increased risk of violence or abuse. Parents of children who screened positive for disability were statistically more likely to report hitting them on their face, head or ears or repeatedly and as hard as one could.⁸⁵

34. CRC recommended that Suriname: take all necessary measures to render appropriate financial and other assistance to families in order to allow them to carry out their parenting obligations and responsibilities and to prevent children from being placed in institutions because of poverty-related problems of their parents;⁸⁶ and expedite the adoption of the bill to regulate social assistance for youth and take measures for its full implementation.⁸⁷

5. Right to participate in public and political life

35. CEDAW encouraged Suriname to take sustained measures, including temporary special measures, to accelerate women's full and equal participation in elected and appointed bodies, including at the international level. Such measures should extend to indigenous and other racial minority women.⁸⁸

6. Right to work and to just and favourable conditions of work

36. CERD remained concerned that Suriname had not yet adopted special measures to ensure effective protection with regard to recruitment and conditions of employment of workers belonging to indigenous and tribal peoples.⁸⁹

37. CEDAW continued to be concerned about discrimination against women in the field of employment.⁹⁰ The Committee reiterated its recommendation that Suriname ensure that all women workers have working conditions equal to those of men, including freedom from sexual harassment and social security benefits and that provision for paid maternity leave be made for all working women. CEDAW recommended that Suriname provide a sufficient number of childcare facilities under quality supervision and that efforts be strengthened to ensure access by women, including indigenous and other racial minority women, to vocational training.⁹¹

7. Right to social security and to an adequate standard of living

38. CRC noted that despite the small population of Suriname and its large amount of natural resources, poverty remained high.⁹² CRC recommended that Suriname continue and strengthen the application of poverty-reduction strategies in order to provide economically disadvantaged families with, inter alia, adequate shelter, food and clothing and to specifically assist children to have access to education and health care.⁹³

39. In 2006, the CCA pointed out that women as a group were poorer than men. This was due to persisting gender inequality in the household and society. Although agriculture was the second employer of women after the public sector, the majority of families owned only small plots of land on which women and children worked without pay for family enterprises. Women of the interior were particularly vulnerable. The growing tendency of male abandonment of these communities, combined with limited development of new economic and social opportunities, had led to a rapidly worsening problem of poverty in these communities. Households headed by women often relied on support from outside their villages for financial subsistence.⁹⁴

40. In 2007, PAHO reported that the health sector in Suriname was confronted with a series of serious obstacles. These resulted from macroeconomic problems, the emigration of qualified personnel to other countries, shortages of essential drugs, the physical deterioration of health services infrastructure, and health-care deficiencies, particularly at the secondary level. There was inequitable access to water and sanitation services.⁹⁵ It was reported that malaria was an important health problem in the interior, one of the leading causes of death of children under five, and a common cause of school absenteeism.⁹⁶ Dehydration caused by diarrhoea was another major cause of child mortality.⁹⁷ AIDS had become one of the leading causes of mortality for children under five and the leading cause of death among the 29–49 age group.⁹⁸ CRC noted with concern that the majority of children hospitalized because of malnutrition were from ethnic minorities.⁹⁹ The Committee recommended that Suriname, inter alia, continue to actively promote breastfeeding, that it address the problem of malnutrition, with special emphasis on minority ethnic groups, and that it ensure that its public-health institutions, including the Malaria Institute, receive adequate funding and resources to carry out their work.¹⁰⁰

41. The 2006 CCA reported that maternal mortality remained very high in Suriname. Limited access to contraception in the hinterland was reflected in high fertility rates and high levels of maternal mortality.¹⁰¹ CEDAW reiterated its recommendation that the laws restricting family planning activities and abortion services, which are “dead letter” laws, be repealed. It urged Suriname to take concrete measures to enhance and monitor access to health-care services for women, including in the interior and in rural areas. It requested Suriname to strengthen measures aimed at the prevention of unwanted pregnancies, especially among teenagers. Such measures should include making widely available, without any restriction, a comprehensive range of contraceptives and increasing knowledge and awareness about family planning.¹⁰²

42. CRC noted with concern that early pregnancy, arranged marriages, drug and alcohol abuse, and mental health concerns among teenagers were increasing rather than decreasing.¹⁰³ The Committee recommended that Suriname, inter alia, increase its efforts to establish more programmes and services in the area of adolescent health and obtain valid data through studies on this issue.¹⁰⁴

8. Right to education

43. In 2010, UNCT noted that while Suriname was on track nationally to meet Millennium Development Goal 2 on achieving universal primary education, there were significant geographical, gender and socio-economic disparities, with particular concern for

boys and girls in the interior where progress was well below target. An assessment of these disparities indicated issues in relation to access to and availability of quality education (at all levels), children repeating years, and drop-out and retention rates.¹⁰⁵ CRC also noted with concern the outdated school curricula, and structural inefficiencies in the training of teachers at all levels.¹⁰⁶ UNCT noted, *inter alia*, that 91 per cent of teachers in Kwamalasamutu and 89 per cent of teachers in Tepu had not completed their primary education.¹⁰⁷

44. CRC recommended that Suriname: reduce socio-economic and regional disparities in access to and full enjoyment of the right to education; ensure that primary education is free of charge and free of other (additional) costs; improve the quality of education through increasing the number of well-trained and fully qualified teachers, particularly those recruited to teach in the interior, modernizing teaching and learning methods and reforming the curricula, *inter alia* in order to better orient education to the competencies needed for social and economic participation in a developing society; provide vocational education and training, including for children who have dropped out of primary or secondary schools; and widen the scope of second-chance opportunities for children (especially boys) who have dropped out of school and for teenage girls who have become pregnant.¹⁰⁸

45. In 2010, UNCT indicated that indigenous children had a right to expect to integrate on their own terms, with their cultural identity preserved, rather than be assimilated into the majority culture. They should have opportunities to use their language and speak their minority language without being impeded by ignorance of the majority language, Dutch. They had the right to have their needs met in the context of their family and community culture. The education system compromised the rights of indigenous children to development through the lower quality of education available in the interior and by the lack of availability of secondary schools.¹⁰⁹ Some boarding schools were very basic and did not ensure that children were cared for within a protective, supportive, or healthy environment.¹¹⁰ CERD, expressing similar concerns, reiterated its recommendation that Suriname take steps to give adequate recognition to native languages and encouraged the State to seek strategies with a view to introducing bilingual education.¹¹¹

46. UNCT indicated that schools often may not accept children with disabilities. There were few special schools or other provisions for children with disabilities, generally, and none for children in the interior.¹¹² CRC recommended *inter alia*, that Suriname adopt the draft law on special education to ensure the implementation of legislation providing protection for children with disabilities.¹¹³

9. Minorities and indigenous peoples

47. CERD welcomed the support of Suriname in September 2007 for the United Nations Declaration on the Rights of Indigenous Peoples¹¹⁴ and called on the State to publicize and increase awareness-raising efforts to disseminate the contents of the Declaration.¹¹⁵

48. Recognizing the fact that the national economy of Suriname heavily depended on the natural-resource extraction industry – namely mining and logging, including in ancestral lands and traditional settlements of indigenous and tribal peoples – CERD remained concerned about the protection of the rights to land, territories and communal resources of the indigenous and tribal peoples living in the interior of the country. The Committee urged Suriname to ensure legal acknowledgement of the collective rights of indigenous and tribal peoples – known locally as Maroons and Bush Negroes – to own, develop, control and use their lands, resources and communal territories according to customary laws and traditional land-tenure system and to participate in the exploitation, management and conservation of the associated natural resources.¹¹⁶

49. While noting with interest the final report by the Presidential Commission on Land Rights, CERD was concerned about the lack of an effective natural resources land management regime. The Committee encouraged Suriname to intensify its consideration of the final report with a view to setting the principles for a comprehensive national land rights regime and appropriate relevant legislation with the full participation of the freely chosen representatives of indigenous and tribal peoples, as per the Presidential Commission's mandate. In the Committee's opinion, the State's consideration of the report of the Presidential Commission should not be to the detriment of its full compliance with the orders of the Inter-American Court of Human Rights in the *Saramaka People* case.¹¹⁷ CERD reiterated its recommendation, with urgency, that Suriname initiate steps towards the full implementation of the Court's orders according to the set implementation timeline.¹¹⁸

50. CERD was concerned that the draft mining act 2004 was still in Parliament and, according to information before it, that mining licences continued to be granted by the Ministry of Natural Resources to enterprises without prior consultations with or providing information to indigenous and tribal peoples.¹¹⁹ The Committee also raised this concern in 2006 under its early warning and urgent action procedure.¹²⁰ CERD invited Suriname to update and approve the draft mining act in conformity with the Committee's previous recommendations (2004 and 2005).¹²¹

51. In 2004, the HR Committee noted allegations that mercury had been released into the environment in the vicinity of Maroon and Amerindian communities, which continued to threaten the life, health and environment of indigenous and tribal peoples. The Committee recommended that Suriname should take the necessary steps to prevent mercury poisoning of waters, and thereby of inhabitants, in the interior of its territory.¹²²

III. Achievements, best practices, challenges and constraints

52. The HR Committee welcomed the fact that ICCPR took precedence over domestic law and that provisions of the Covenant may be invoked directly in the domestic courts.¹²³

53. UNCT indicated that Suriname had made significant progress in the field of preventing HIV transmission from mother to child and in 2008 provided 83 per cent of HIV-positive pregnant women with access to treatment that included antiretroviral medicines to reduce the risk of mother-to-child transmission.¹²⁴

54. CERD welcomed the recent steps taken to strengthen the administration of justice, such as increasing the number of judges in the Court of Justice and the recent training provided to new judges as well as the ongoing prosecutor training.¹²⁵

55. The CCA pointed out that although several measures have been put in place to curb narcotics trafficking and other illegal activities, drug trafficking, money laundering, arms trading and other illegal drug-related activities remained serious problems posing equally serious challenges to the systems and practices of good governance.¹²⁶

IV. Key national priorities, initiatives and commitments

Specific recommendations for follow-up

56. In 2009 CERD requested Suriname to provide information, within one year, on the establishment of the Constitutional Court, dissemination of the United Nations Declaration on Indigenous Peoples, and implementation of the judgements of the Inter-American Court of Human Rights in the *Saramaka People* case and the *Moiwana Village* case.¹²⁷ Follow-up information was due in 2010.

57. In April 1985 the HR Committee adopted views on communications No. 146/1983 and Nos. 148–154/1983 and found that eight victims were arbitrarily deprived of their lives in violation of the Covenant. The Committee requested Suriname to investigate the killings, bring those responsible to justice, and compensate their families.¹²⁸ The preliminary follow-up reply from Suriname, dated 25 July 1996, indicated that the Parliament had passed a resolution recognizing that the assassination of the victims was in violation of basic human rights and that an independent judicial inquiry was being set up.¹²⁹ In its response of August 1997, Suriname acknowledged that adequate reparation should be given to the families of victims.¹³⁰ Follow-up dialogue is ongoing.¹³¹

V. Capacity-building and technical assistance

58. In 2010 UNCT stated that the United Nations was “delivering as one” in Suriname with four resident United Nations agencies in the country (United Nations Development Programme, PAHO, United Nations Population Fund and United Nations Children’s Fund (UNICEF)).¹³² In 2009 and 2010, UNICEF supported the Ministry of Justice and Police in capacity-building for 30 judges, lawyers and public prosecutors in child rights issues and juvenile delinquency focusing on cases of children in conflict with the law, regarding the best interests of the child.¹³³

Notes

¹ Unless indicated otherwise, the status of ratifications of instruments listed in the table may be found in *Multilateral Treaties Deposited with the Secretary-General: Status as at 1 April 2009* (ST/LEG/SER.E.26), supplemented by the official website of the United Nations Treaty Collection database, Office of Legal Affairs of the United Nations Secretariat, <http://treaties.un.org/>.

² The following abbreviations have been used for this document:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
OP-ICESCR	Optional Protocol to ICESCR
ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 1	Optional Protocol to ICCPR
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
OP-CEDAW	Optional Protocol to CEDAW
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CAT	Optional Protocol to CAT
CRC	Convention on the Rights of the Child
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CRPD	Convention on the Rights of Persons with Disabilities
OP-CRPD	Optional Protocol to CRPD
CED	International Convention for the Protection of All Persons from Enforced Disappearance.

³ Adopted by the General Assembly in its resolution 63/117 of 10 December 2008. Article 17, paragraph 1, of OP-ICESCR states that “The present Protocol is open for signature by any State that has signed, ratified or acceded to the Covenant”.

⁴ Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children,

- supplementing the United Nations Convention against Transnational Organized Crime.
- ⁵ 1951 Convention relating to the Status of Refugees and its 1967 Protocol, 1954 Convention relating to the Status of Stateless Persons and 1961 Convention on the Reduction of Statelessness.
- ⁶ Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (First Convention); Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (Second Convention); Geneva Convention relative to the Treatment of Prisoners of War (Third Convention); Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Convention); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III). For the official status of ratifications, see Federal Department of Foreign Affairs of Switzerland, at www.eda.admin.ch/eda/fr/home/topics/intla/intrea/chdep/warvic.html.
- ⁷ International Labour Organization Convention No. 29 concerning Forced or Compulsory Labour; Convention No. 105 concerning the Abolition of Forced Labour; Convention No. 87 concerning Freedom of Association and Protection of the Right to Organise; Convention No. 98 concerning the Application of the Principles of the Right to Organise and to Bargain Collectively; Convention No. 100 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value; Convention No. 111 concerning Discrimination in Respect of Employment and Occupation; Convention No. 138 concerning Minimum Age for Admission to Employment; Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.
- ⁸ Concluding observations of the Committee on the Elimination of Discrimination against Women (CEDAW/C/SUR/CO/3), para. 36.
- ⁹ *Ibid.*, and concluding observations of the Committee on the Elimination of Racial Discrimination (CERD/C/SUR/CO/12), para. 24.
- ¹⁰ CEDAW/C/SUR/CO/3, para. 33.
- ¹¹ Concluding observations of the Committee on the Rights of the Child (CRC/C/SUR/CO/2), para. 71.
- ¹² *Ibid.*
- ¹³ *Ibid.*, para. 50 (a).
- ¹⁴ CERD/C/SUR/CO/12, para. 17.
- ¹⁵ CEDAW/C/SUR/CO/3, para. 11.
- ¹⁶ *Ibid.*, para. 12. See also concluding observations of the Human Rights Committee (CCPR/CO/80/SUR), para. 20.
- ¹⁷ CEDAW/C/SUR/CO/3, para. 10.
- ¹⁸ *Ibid.*, para. 12.
- ¹⁹ UNCT submission to the UPR on Suriname, paras. 10 and 41.
- ²⁰ *Ibid.*, para. 47.
- ²¹ For the list of national human rights institutions with accreditation status granted by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC), see A/HRC/13/45, annex I.
- ²² CRC/C/SUR/CO/2, para. 15.
- ²³ UNCT submission to the UPR on Suriname, para. 25. See also CRC/C/SUR/CO/2, paras. 14–15.
- ²⁴ UNCT submission to the UPR on Suriname, para. 16.
- ²⁵ Pan American Health Organization, *Health in the Americas, 2007, Volume II – Countries: Suriname*, p. 642. Available from www.paho.org/hia/archivosvol2/paisesing/Suriname%20English.pdf. See also CEDAW/C/SUR/CO/3, para. 13; CRC/C/SUR/CO/2, paras. 18 and 5; and CERD/C/SUR/CO/12, para. 15.
- ²⁶ CERD/C/SUR/CO/12, para. 15.
- ²⁷ Suriname CCA (Paramaribo, 2006), p. 12. Available from www.undg.org/unct.cfm?module=CoordinationProfile&page=Country&CountryID=SUR&fuseaction=UN%20Country%20Coordination%20Profile%20for%20Suriname.
- ²⁸ UNCT submission to the UPR on Suriname, para. 15.
- ²⁹ *Ibid.*, para. 17.

- ³⁰ The following abbreviations have been used for this document:
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| CERD | Committee on the Elimination of Racial Discrimination |
| CESCR | Committee on Economic, Social and Cultural Rights |
| HR Committee | Human Rights Committee |
| CEDAW | Committee on the Elimination of Discrimination against Women |
| CRC | Committee on the Rights of the Child. |
- ³¹ Replies by the Government of Suriname on the concluding observations of the Human Rights Committee (CCPR/C/SUR/CO/2/Add.1).
- ³² Decision of the Committee on the Elimination of Racial Discrimination (CERD/C/DEC/SUR/5).
- ³³ A/HRC/12/34/Add.1, paras. 498–502.
- ³⁴ A/HRC/6/15; A/HRC/7/8, para. 35; A/HRC/11/8, para. 56; A/HRC/12/23, para. 12; A/HRC/13/42, annex I; A/HRC/14/25, para. 6, footnote 1; and A/HRC/15/32, para. 5.
- ³⁵ The questionnaires referred to are those reflected in an official report by a special procedure mandate holder issued between 1 January 2006 and 31 October 2010. Responses counted for the purposes of this section are those received within the relevant deadlines, and referred to in the following documents: (a) E/CN.4/2006/62, para. 24, and E/CN.4/2006/67, para. 22; (b) A/HRC/4/23, para. 14; (c) A/HRC/4/24, para. 9; (d) A/HRC/4/29, para. 47; (e) A/HRC/4/31, para. 24; (f) A/HRC/4/35/Add.3, para. 7; (g) A/HRC/6/15, para. 7; (h) A/HRC/7/6, annex; (i) A/HRC/7/8, para. 35; (j) A/HRC/8/10, para. 120, footnote 48; (k) A/62/301, paras. 27, 32, 38, 44 and 51; (l) A/HRC/10/16 and Corr.1, footnote 29; (m) A/HRC/11/6, annex; (n) A/HRC/11/8, para. 56; (o) A/HRC/11/9, para. 8, footnote 1; (p) A/HRC/12/21, para. 2, footnote 1; (q) A/HRC/12/23, para. 12; (r) A/HRC/12/31, para. 1, footnote 2; (s) A/HRC/13/22/Add.4; (t) A/HRC/13/30, para. 49; (u) A/HRC/13/42, annex I; (v) A/HRC/14/25, para. 6, footnote 1; (w) A/HRC/14/31, para. 5, footnote 2; (x) A/HRC/14/46/Add.1; (y) A/HRC/15/31/Add.1, para. 6 - for list of responding States see http://www2.ohchr.org/english/issues/water/iexpert/written_contributions.htm; (z) A/HRC/15/32, para. 5.
- ³⁶ OHCHR, *2008 Report: Activities and Results*, p. 139.
- ³⁷ CEDAW/C/SUR/CO/3, para. 35. See also MDG Monitor, An Initiative of the United Nations, available from www.mdgmonitor.org/country_progress.cfm?c=SUR&cd=740.
- ³⁸ CEDAW/C/SUR/CO/3, para. 17.
- ³⁹ *Ibid.*, para. 18.
- ⁴⁰ UNCT submission to the UPR on Suriname, para. 19. See also CCPR/CO/80/SUR, para. 21 and CERD/C/SUR/CO/12, para. 15.
- ⁴¹ Pan American Health Organization, *Health in the Americas, 2007, Volume II – Countries: Suriname*, p. 651. Available from www.paho.org/hia/archivosvol2/paisesing/Suriname%20English.pdf. See also UNCT submission to the UPR on Suriname, para. 20.
- ⁴² Pan American Health Organization, *Health in the Americas*, p. 651. See also UNCT submission to the UPR on Suriname, para. 20.
- ⁴³ CERD/C/SUR/CO/12, para. 15, CRC/C/SUR/CO/2, para. 61 and UNCT submission to the UPR on Suriname, para. 20.
- ⁴⁴ CRC/C/SUR/CO/2, para. 26.
- ⁴⁵ *Ibid.*, para. 27.
- ⁴⁶ CCPR/CO/80/SUR, para. 10. See also UNCT submission to the UPR on Suriname, para. 22.
- ⁴⁷ *Official Records of the General Assembly, Sixty-second Session, Plenary Meetings, 76th meeting (A/62/PV.76)*, p. 17.
- ⁴⁸ CRC/C/SUR/CO/2, para. 34.
- ⁴⁹ CCPR/CO/80/SUR, para. 11.
- ⁵⁰ CCPR/C/SUR/CO/2/Add.1, paras. 3–7.
- ⁵¹ UNCT submission to the UPR on Suriname, para. 24.
- ⁵² CRC/C/SUR/CO/2, para. 37.
- ⁵³ CCPR/CO/80/SUR, para. 14.
- ⁵⁴ CCPR/C/SUR/CO/2/Add.1, paras. 8–10.
- ⁵⁵ CCPR/CO/80/SUR, para. 15. See also UNCT submission to the UPR on Suriname, para. 26.
- ⁵⁶ UNCT submission to the UPR on Suriname, paras. 45 and 23.
- ⁵⁷ Suriname CCA (note 27 above), p. 30.
- ⁵⁸ UNCT submission to the UPR on Suriname, para. 24.

- ⁵⁹ Pan American Health Organization, *Health in the Americas* (note 41 above), p. 642. See also Suriname CCA (note 27 above), p. 34.
- ⁶⁰ CRC/C/SUR/CO/2, para. 47.
- ⁶¹ UNCT submission to the UPR on Suriname, para. 40.
- ⁶² Pan American Health Organization, *Health in the Americas* (note 41 above), p. 642.
- ⁶³ Suriname CCA (note 27 above), p.19. See also CEDAW/C/SUR/CO/3, para. 21.
- ⁶⁴ CRC/C/SUR/CO/2, para. 67. See also Suriname CCA (note 27 above), p. 31.
- ⁶⁵ CEDAW/C/SUR/CO/3, para. 22.
- ⁶⁶ CRC/C/SUR/CO/2, para. 66. See also UNCT submission to the UPR on Suriname, para. 31.
- ⁶⁷ ILO Committee of Experts on the Application of Conventions and Recommendations, Individual Direct Request concerning ILO Worst Forms of Child Labour Convention, 1999 (No. 182), 2010, Geneva, doc. No. (ILOLEX) 092010SUR82, eighteenth paragraph.
- ⁶⁸ CERD/C/SUR/CO/12, para. 11.
- ⁶⁹ *Ibid.*, para. 19.
- ⁷⁰ CCPR/CO/80/SUR, para. 7.
- ⁷¹ CERD/C/SUR/CO/12, para. 18.
- ⁷² CCPR/CO/80/SUR, para. 7.
- ⁷³ UNCT submission to the UPR on Suriname, para. 27.
- ⁷⁴ CRC/C/SUR/CO/2, para. 70.
- ⁷⁵ UNCT submission to the UPR on Suriname, para. 29.
- ⁷⁶ *Ibid.*
- ⁷⁷ *Ibid.*, para. 30.
- ⁷⁸ CRC/C/SUR/CO/2, para. 24.
- ⁷⁹ *Ibid.*, para. 25.
- ⁸⁰ *Ibid.*, para. 33.
- ⁸¹ *Ibid.*, para. 40.
- ⁸² *Ibid.*, para. 55.
- ⁸³ *Ibid.*, paras. 38–39. See also Suriname CCA (note 27 above), pp. 24 and 40.
- ⁸⁴ UNCT submission to the UPR on Suriname, para. 25.
- ⁸⁵ *Ibid.*, para. 37.
- ⁸⁶ CRC/C/SUR/CO/2, paras. 38–39.
- ⁸⁷ *Ibid.*, para. 41.
- ⁸⁸ CEDAW/C/SUR/CO/3, para. 26.
- ⁸⁹ CERD/C/SUR/CO/12, para. 17. See also CCPR/CO/80/SUR, para. 21.
- ⁹⁰ CEDAW/C/SUR/CO/3, para. 27.
- ⁹¹ *Ibid.*, para. 28.
- ⁹² CRC/C/SUR/CO/2, para. 57.
- ⁹³ *Ibid.*, para. 58.
- ⁹⁴ Suriname CCA (note 27 above), p. 25.
- ⁹⁵ Pan American Health Organization, *Health in the Americas* (note 41 above), p. 642.
- ⁹⁶ *Ibid.*, pp. 645 and 647. See also Suriname CCA (note 27 above), pp. 34 and 41.
- ⁹⁷ Pan American Health Organization, *Health in the Americas* (note 41 above), p. 645. See also Suriname CCA (note 27 above), p. 34.
- ⁹⁸ Suriname CCA (note 27 above), pp. 39-40.
- ⁹⁹ CRC/C/SUR/CO/2, para. 51.
- ¹⁰⁰ *Ibid.*, para. 52.
- ¹⁰¹ Suriname CCA (note 27 above), p. 36.
- ¹⁰² CEDAW/C/SUR/CO/3, para. 30.
- ¹⁰³ CRC/C/SUR/CO/2, para. 53. See also United Nations Office on Drugs and Crime (UNODC), report of the Secretariat on statistics on drug trafficking trends in the Americas and worldwide (UNODC/HONLAC/20/2), para. 53. See also UNODC, “Cocaine traffickers develop new routes from Brazil”, pp. 1–2, available from www.unodc.org/pdf/brazil/Cocaine%20traffickers%20develop%20new%20routes%20from%20Brazil.pdf; CRC/C/SUR/CO/2, para. 51; World Health Organization (WHO), “WHO-AIMS report on mental health system in Suriname: a report of the assessment of the mental health system in Suriname using the World Health Organization - Assessment Instrument for Mental Health Systems (WHO-

- AIMS)", 2009, p. 5, available from www.who.int/mental_health/who_aims_report_suriname.pdf.
- ¹⁰⁴ CRC/C/SUR/CO/2, para. 54.
- ¹⁰⁵ UNCT submission to the UPR on Suriname, para. 21. See also paras. 33 and 35–36.
- ¹⁰⁶ CRC/C/SUR/CO/2, para. 59. See also UNCT submission to the UPR on Suriname, paras. 33 and 35–36.
- ¹⁰⁷ UNCT submission to the UPR on Suriname, para. 35.
- ¹⁰⁸ CRC/C/SUR/CO/2, para. 60.
- ¹⁰⁹ UNCT submission to the UPR on Suriname, para. 39. See also para. 34.
- ¹¹⁰ *Ibid.*, para. 36.
- ¹¹¹ CERD/C/SUR/CO/12, para. 16.
- ¹¹² UNCT submission to the UPR on Suriname, para. 37.
- ¹¹³ CRC/C/SUR/CO/2, para. 50.
- ¹¹⁴ CERD/C/SUR/CO/12, para. 4.
- ¹¹⁵ *Ibid.*, para. 17.
- ¹¹⁶ *Ibid.*, para. 12.
- ¹¹⁷ *Ibid.*, para. 13.
- ¹¹⁸ *Ibid.*, para. 18.
- ¹¹⁹ *Ibid.*, para. 14.
- ¹²⁰ CERD/C/DEC/SUR/5.
- ¹²¹ CERD/C/SUR/CO/12, para. 14.
- ¹²² CCPR/CO/80/SUR, para. 21.
- ¹²³ *Ibid.*, para. 5.
- ¹²⁴ UNCT submission to the UPR on Suriname, para. 42.
- ¹²⁵ CERD/C/SUR/CO/12, para. 7.
- ¹²⁶ Suriname CCA (note 27 above), p. 18. See also Pan American Health Organization, *Health in the Americas* (note 41 above), p. 641, and UNODC, report of the Secretariat (note 103 above).
- ¹²⁷ CERD/C/SUR/CO/12, para. 25.
- ¹²⁸ Communication No. 154/1983, Views adopted on 4 April 1985, paras. 15-16.
- ¹²⁹ *Official Records of the General Assembly, Fifty-first Session, Supplement No. 40 (A/51/40)*, para. 429.
- ¹³⁰ *Official Records of the General Assembly, Fifty-third Session, Supplement No. 40 (Vol. I) (A/53/40)*, paras. 500–501.
- ¹³¹ *Official Records of the General Assembly, Sixty-fourth Session, Supplement No. 40, (Vol. I) (A/64/40(Vol.I))*, pp. 156–157.
- ¹³² UNCT submission to the UPR on Suriname, introduction.
- ¹³³ *Ibid.*, para. 49.
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