

# Suriname

## Mid-term Implementation Assessment



Promoting and strengthening  
the Universal Periodic Review  
<http://www.upr-info.org>



## Introduction

### 1. Purpose of the follow-up programme

*The second and subsequent cycles of the review should focus on, inter alia, the implementation of the accepted recommendations and the development of the human rights situation in the State under review.*

A/HRC/RES/16/21, 12 April 2011 (Annex I C § 6)

The Universal Periodic Review (UPR) process takes place every four and one half years; however, some recommendations can be implemented immediately. In order to reduce this interval, we have created a follow-up process to evaluate the human rights situation two years after the examination at the UPR.

Broadly speaking, *UPR Info* seeks to ensure the respect of commitments made in the UPR, but also, more specifically, to give stakeholders the opportunity to share their opinion on the commitments. To this end, about two years after the review, *UPR Info* invites States, NGOs, and National Institutions for Human Rights (NHRI) to share their comments on the implementation (or lack thereof) of recommendations adopted at the Human Rights Council (HRC) plenary session.

For this purpose, *UPR Info* publishes a Mid-term Implementation Assessment (MIA) including responses from each stakeholder. The MIA is meant to show how all stakeholders are disposed to follow through on and to implement their commitments. States should implement the recommendations that they have accepted and civil society should monitor that implementation.

While the follow-up's importance has been highlighted by the HRC, no precise directives regarding the follow-up procedure have been set until now. Therefore, *UPR Info* is willing to share good practices as soon as possible and to strengthen the collaboration pattern between States and stakeholders. Unless the UPR's follow-up is seriously considered, the UPR mechanism as a whole could be adversely affected.

The methodology used by UPR Info to collect data and to calculate the index is described at the end of this document.

Geneva, 23 May 2014



## Follow-up Outcomes

### 1. Sources and results

All data are available at the following address:

<http://followup.upr-info.org/index/country/Suriname>

We invite the reader to consult this webpage since all recommendations, all stakeholders' reports, as well as the unedited comments can be found at the same internet address.

3 stakeholders' reports were submitted for the UPR. 4 NGOs were contacted. 1 UN agency was contacted. The Permanent Mission to the UN was contacted. A National Human Rights Institution (NHRI) does not exist.

3 NGOs responded to our enquiry. The UN agency did not respond. The State under Review did not respond to our enquiry either.

The following stakeholders took part in the report:

1. **NGOs:** (1) Global Initiative to End All Corporal Punishment of Children (GIEACPC) (2) Reporters sans frontières (RSF) (3) University of Oklahoma College of Law International Human Rights Clinic (UOCLIHRC)

*IRI:* 13 recommendations are not implemented, 0 recommendations are partially implemented and 0 recommendations are fully implemented. No answer was received for 82 out of 95 recommendations and voluntary pledges.



## 2. Feedback on recommendations

### Minorities

Recommendation n°89: *Continue efforts to recognize and uphold the collective rights of the indigenous peoples* (Recommended by *Trinidad & Tobago*)

IRI: *not implemented*

University of Oklahoma College of Law International Human Rights Clinic (UOCLIHRC) response:

Suriname is failing with its international legal responsibility in regard to indigenous people by not accepting this recommendation. The government is not doing anything in regard to this recommendation and has not taken any measures.

Recommendation n°90: *Recognize the collective rights of indigenous peoples to their lands and resources, giving the matter priority when the issue of land rights is raised in Parliament as indicated in the Government's statement in October 2010* (Recommended by *Canada*)

IRI: *not implemented*

UOCLIHRC response:

Suriname is failing under the American Convention by not accepting this recommendation. The government has not taken any measures about this subject.

Recommendation n°91: *Acknowledge legally the rights of indigenous and tribal peoples to own, develop, control and use their lands, resources and communal territories according to customary law and traditional land-tenure system* (Recommended by *Hungary*)

IRI: *not implemented*

UOCLIHRC response:

Suriname is failing with the Inter-American System by not accepting this recommendation. The government has not taken any measures about this subject.



Recommendation n°92: *Take the necessary steps to act in compliance with the verdict rendered in 2007 by the Inter-American Court of Human Rights in the Saramaka People case and to respect the right of indigenous people and Maroons to land* (Recommended by Norway)

IRI: *not implemented*

UOCLIHRC response:

The government of Suriname did not accept this recommendation. Suriname is failing with its international legal responsibility in regard to indigenous people under the American Convention. The State has not implemented this recommendation.

Recommendation n°93: *Ensure that its indigenous communities, as far as possible, benefit fully from the provision of public services and that their land rights are legally recognized, including via implementation of the 2008 decision of the Inter-American Court of Human Rights* (Recommended by United Kingdom)

IRI: *not implemented*

UOCLIHRC response:

The government of Suriname did not accept this recommendation. But also, Suriname has not yet complied with the most substantive elements of the Court's judgment, including that their land rights are legally recognized. The State of Suriname has not implemented this recommendation.

Recommendation n°94: *Execute fully the judgement of the Inter-American Court of Human Rights regarding logging and mining concessions in the territory of the Saramaka people and enshrine land rights of indigenous and Maroon groups in the Surinamese legal framework* (Recommended by Netherlands)

IRI: *not implemented*

UOCLIHRC response:

The government of Suriname did not accept this recommendation, but besides not accepting this recommendation, has failed with the compliance of the judgement of the Inter-American Court of Human Right. Also, has failed because have not sent a report requested by the Inter-American Court concerning the mining exploitation project on Saramaka territory, the deadline was October 25, 2013. The State has not implemented this recommendation



## International Instruments

Recommendation n°45: *Ratify the International Labour Organization Convention No. 169 (1989) concerning Indigenous and Tribal Peoples in Independent Countries (Recommended by Norway)*

IRI: *not implemented*

UOCLIHRC response:

Suriname is not being consequent with its international statements about the indigenous people when not accepted this recommendation. The government is not doing anything in regard to this recommendation.

Recommendation n°46: *Ratify the International Labour Organization Convention No. 169 (1989) concerning Indigenous and Tribal Peoples in Independent Countries in order to ensure greater protection, as it is merited, by the special situation of indigenous and tribal population of the country, and consequently in this vein, comply with the decision of the Inter-American Court of Human Rights regarding their collective titles to property (Recommended by Ecuador)*

IRI: *not implemented*

UOCLIHRC response:

Suriname is not being consequent with its international legal responsibility in regard to indigenous peoples when not accepted this recommendation. The government is not doing anything in regard to this recommendation.

## Justice

Recommendation n°76: *Implement the recommendations of the Human Rights Committee, by prosecuting and sentencing as appropriate the perpetrators of the extrajudicial executions of December 1982 and the Moiwana massacre in 1986 (Recommended by France)*

IRI: *not implemented*

Reporters sans frontières (RSF) response:

Le 4 avril 2012, le parlement du Surinam a voté une loi d'amnistie incluant les événements survenus durant le coup d'état militaire des années 1980. Désormais, l'amnistie comprend l'épisode de Fort Zeelandia, du 8 décembre 1982, qui avait vu l'assassinat par des militaires de 15 opposants politiques, dont 5 journalistes. Les responsables de ces crimes, dont certains occupent de hautes fonctions au sein de l'Etat, sont désormais rendus intouchables par cette loi. Par cette mesure, les autorités du



Surinam elles-mêmes empêchent donc que justice soit rendue pour les 15 victimes de ces exécutions.

## Women & Children

Recommendation n°21: *Prohibit all forms of violence against children, in particular corporal punishment, which is still legally practised in schools* (Recommended by Belgium)

IRI: *not implemented*

+

Recommendation n°81: *Prohibit explicitly corporal punishment at school, at home, as well as in any public establishment attended by children* (Recommended by France)

IRI: *not implemented*

+

Recommendation n°82: *Adopt the necessary legal measures to prohibit all forms of violence against children, including corporal punishment in all settings, particularly in the family, schools, alternative childcare and places of detention for juveniles* (Recommended by Mexico)

IRI: *not implemented*

+

Recommendation n°83: *Follow up efficiently on the recommendation of the Committee on the Rights of the Child to 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 to subsequently implement those laws effectively* (Recommended by Slovenia)

IRI: *not implemented*

Global Initiative to End All Corporal Punishment of Children (GIEACPC) response:

The Government's acknowledgement during the review that there is no legislation prohibiting corporal punishment in schools, and its acceptance of the recommendation to enact prohibition is to be welcomed. However, the obligation under human rights law is to prohibit corporal punishment of children in all settings - the home, alternative care settings, day care, schools and the penal system. Currently in Suriname corporal punishment is legally and socially tolerated, with UNICEF's major analysis of data on child discipline in the home in 2005-2006 recording 86% of 2-14 year olds being violently "disciplined" (by physical punishment and/or psychological aggression).



## Methodology

### A. First contact

Although the methodology has to consider the specificities of each country, we apply the same procedure for data collection about all States:

1. We contact the Permanent Mission to the UN either in Geneva or New York;
2. We contact all NGOs that took part in the process. Whenever NGOs were part of coalitions, each NGO is contacted individually;
3. The National Institution for Human Rights is contacted, whenever one exists.
4. UN Agencies, which sent information for the UPR, are also contacted.

We post our requests to the States and send e-mails to NHRIs, NGOs and UN Agencies.

The purpose of the UPR is to discuss issues and share concrete suggestions to improve human rights on the ground. Therefore, stakeholders whose objective is not to improve the human rights situation are not contacted and those stakeholders' submissions are not taken into account.

However, since the UPR is meant to be a process that aims to share best practices among States and stakeholders, we take into account positive feedbacks from the latter.

### B. Processing recommendations and voluntary pledges

The stakeholders that we contact are encouraged to use an Excel sheet, which we provide, that includes all recommendations received and voluntary pledges taken by the State reviewed.

Each submission is processed, whether the stakeholder has or has not used the Excel sheet. In the latter case, the submission is split among recommendations to which we think it belongs. Since such a task is more prone to misinterpretation, we strongly encourage stakeholders to use the Excel sheet.

If the stakeholder does not clearly mention whether the recommendation was “fully implemented” or “not implemented”, *UPR Info* usually considers the recommendation as “partially implemented”, unless the implementation level is obvious.

*UPR Info* retains the right to edit comments that are considered to not directly address the recommendation in question, when comments are too lengthy or when comments are defamatory or inappropriate. While we do not mention the





recommendations which were not addressed, they can be accessed unedited on the follow-up webpage.

### C. Implementation Recommendation Index (IRI)

*UPR Info* developed an index showing the implementation level achieved by the State for both recommendations received and voluntary pledges taken at the UPR.

The **Implementation Recommendation Index (IRI)** is an individual recommendation index. Its purpose is to show an average of stakeholders' responses.

The *IRI* is meant to take into account stakeholders disputing the implementation of a recommendation. Whenever a stakeholder claims nothing has been implemented at all, the index score is 0. At the opposite, whenever a stakeholder claims a recommendation has been fully implemented, the *IRI* score is 1.

An average is calculated to fully reflect the many sources of information. If the State under Review claims that the recommendation has been fully implemented, and a stakeholder says it has been partially implemented, the score is 0.75.

Then the score is transformed into an implementation level, according to the table below:

Percentage:	Implementation level:
0 – 0.32	Not implemented
0.33 – 0.65	Partially implemented
0.66 – 1	Fully implemented

Example: On one side, a stakeholder comments on a recommendation requesting the establishment of a National Human Rights Institute (NHRI). On the other side, the State under review claims having partially set up the NHRI. As a result of this, the recommendation is given an *IRI* score of 0.25, and thus the recommendation is considered as “not implemented”.

### **Disclaimer**

*The comments made by the authors (stakeholders) are theirs alone, and do not necessarily reflect the views and opinions at UPR Info. Every attempt has been made to ensure that information provided on this page is accurate and not abusive. UPR Info cannot be held responsible for information provided in this document.*

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