



**International covenant  
on civil and  
political rights**

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HUMAN RIGHTS COMMITTEE  
Seventy-ninth session

**List of issues to be taken up in connection with the consideration of the  
second periodic report of SURINAME (CCPR/C/SUR/2003/2), adopted  
by the Human Rights Committee on 24 October 2003**

**Constitutional and legal framework (art. 2)**

1. Please provide information on the current status of the Bill on the establishment of the Constitutional Court submitted to the National Assembly.
2. Please indicate the progress of the investigation into the human rights violations committed under the last military rule, especially into the 1982 “December murders” and the 1986 “Moiwana massacre”.
3. Please indicate whether there has been any follow-up to the Committee’s Views on cases 146 and 148-154/1983 (*Baboeram et al. v. Suriname*).

**Gender equality and principle of non-discrimination (art. 3)**

4. Please comment on the potentially discriminatory character, based on gender, of several provisions existing in domestic legislation, including the Personnel Act, the Identity Act, the Nationality and Residence Act and the Elections Act.
5. What is the current status of the draft amendment to the Penal Code presented to the State Council in 1993, which would criminalize gender-based discrimination?

**Right to life and prevention of torture (arts. 6 and 7)**

6. In view of the fact that no one has been executed for decades and that the State party has de facto abolished the death penalty, does it envisage the de jure abolition of capital punishment?

7. Does the State party envisage the accession to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment?
8. Please inform the Committee on the progress of the investigation, reopened in August 2002, into the August 1990 murder of police chief inspector Herman Gooding, who was killed while conducting the police investigation into the 1986 Moiwana massacre.
9. The Committee has been informed that suicides subsequent to sexual abuse are the main cause of death among girls aged 6 to 14. Please indicate what measures have been taken in this respect.
10. Please provide detailed information on the measures taken by the Government in order to combat ill-treatment, including through beatings and sexual abuse, of detainees.
11. Are there plans to remedy the absence of appropriate legislation to protect women against domestic violence, marital rape and sexual harassment?

**Prohibition of slavery and slavery-like practices (art. 8)**

12. Please comment on information about trafficking in women and girls in Suriname, and on the penalties for those who exploit prostitutes.
13. Please provide information on the achievements, to the present day, of the commission created by the Minister of Justice and Police in July 2003, to inquire into the problem of human trafficking.

**Treatment of prisoners and other detainees, liberty and security of the person, and right to a fair trial (arts. 9, 10 and 14)**

14. Please elaborate (see paragraphs 169 and 178 of the report) on the practice, permissible under the Code of Criminal Procedure, that a detainee may be brought for the first time before a judge only 44 days after he is detained, and how the State party justifies this practice in the light of article 9 of the Covenant. Please also comment on frequent instances of excessively long periods of pre-trial detention and clarify what measures are envisaged or have been taken in this respect.
15. In this respect, please elaborate on:
  - (a) The exceptional circumstances under which, during the first 14-day period of custody, the law allows for incommunicado detention of the suspect;
  - (b) The fact that, after this 14-day period, under article 50 (1) of the Code of Criminal Procedure, the prosecuting officer himself, and not a judge, may extend police custody for an additional 30 days, in case of “urgent necessity”.
16. In addition to information provided to the Committee in October 2002, please comment on measures taken to remedy the poor conditions of prisons and to address the overcrowding of

detention facilities. Please also provide updated statistics on the prison population and the proportion of those awaiting trial compared with convicted persons.

17. Please comment on whether juveniles are often held in adult detention facilities and subjected to lengthy pre-trial detention. Please also indicate measures envisaged or taken to improve their conditions of detention in the light of the provisions of article 10, paragraph 2 (b), of the Covenant and the progress achieved in the system of administration of juvenile justice.

#### **Protection of children (art. 24)**

18. Please elaborate on steps taken to improve the country's education system, especially bearing in mind the considerable differential in access to education between urban areas and the rest of the country (see paragraphs 285 and subsequent, of the report).

#### **Non discrimination before the law and protection of national minorities (arts. 26 and 27)**

19. Please indicate what measures are taken to secure adequate recognition and protection of indigenous rights to lands and other resources. Please comment on information made available to the Committee that title to indigenous lands, territories and resources is not recognized by law.

20. What actions is the State party taking to ensure that indigenous peoples, in particular descendants of Maroons and Amerindians, are consulted and informed in the process of granting of logging and mining concessions? In this connection, please comment on the information before the Committee that these groups have only a limited right to participate in decisions affecting their lands, cultures, traditions and natural resources.

21. Please clarify whether, as a result of mining and logging activities carried out by national and foreign companies, numerous villages have been relocated in violation of the rights of their inhabitants.

22. Please comment on the information that indigenous people are said to be victims of discrimination not only with respect to employment and education, but also as far as their culture and way of life are concerned.

23. Please inform about measures taken to prevent mercury runoff near indigenous communities in the interior of the country, which is threatening the life, health and environment of indigenous peoples.

#### **Dissemination of information regarding the Covenant**

24. Please provide information on training and education on the Covenant and the Optional Protocol procedure provided to all categories of public officials, in particular schoolteachers, the judiciary, and law enforcement and prison officials. Please also indicate the steps taken to increase the awareness and understanding of the Covenant and the Optional Protocol procedure amongst the general public, including ethnic and linguistic minorities.

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