

SURINAME

I) RELEVANT LEGAL EVENTS

MEMBER OF THE ORGANIZATION OF AMERICAN STATES SINCE: JUNE 1, 1977

RATIFIED AMERICAN CONVENTION: NOVEMBER 12, 1987

Recognition of competence (from <http://www.cidh.org/basicos/english/Basic4.Amer.Conv.Ratif.htm>)

On 12 November 1987, presented at the General Secretariat of the OAS, an instrument recognizing the jurisdiction of the Inter-American Court of Human Rights in accordance with Article 62 of the Convention.

ACCEPTED JURISDICTION OF THE IA COMMISSION FOR “INTERSTATE COMMUNICATIONS” (ART. 45): NOVEMBER 12, 1987

ACCEPTED JURISDICTION OF IACHR (ART. 62): NOVEMBER 12, 1987

II) DECISIONS, JUDGMENTS AND ORDERS

A) CASES

I) Case of Aloeboetoe et al. v. Suriname

More than twenty unarmed males were beaten with rifle-butts and humiliated by soldiers who had detained them under suspicion that they were members of the Jungle Commando in Atjoni. Seven of them were ordered into military vehicles and driven 30 km, where they were shot and killed, with the exception of one survivor who was found alive. On January 2, 1988, the bodies of the seven men were found, one was critically injured but died days later. The Court did not specifically hold that the State violated the American Convention since the State accepted responsibility.

Key Words: *Forced Disappearances; Arbitrary Arrest and Detention; Extrajudicial Killing; Life (Right to); Freedom from Torture and other Cruel, Inhumane and Degrading Treatment*

Merits

Judgment of December 4, 1991. Series C No. 11

Monitoring Compliance with Judgment

[None]

II) Case of Gangaram Panday v. Suriname

On November 5, 1998, Mr. Asok Gangrama Panday was killed in Suriname after being illegally detained in a building for deportees at the Zanderij Airport by the Military Police of Suriname. There was conflicting evidence about whether the victim had been tortured while imprisoned, with

a state agent admitting that the victim's mood had been affected by his expulsion from the Netherlands and that this psychological condition had been intensified by his detention. The Court found that the State violated the American Convention on Human Rights.

Key Words: *Arbitrary Arrest and Detention; Criminal Justice; Expulsion, Deportation, and Forcible Return; Life (Right to); Judicial Protection (Right to); Freedom from Torture and other Cruel, Inhumane and Degrading Treatment; Amnesty, Pardon, and Commutation of Sentence (Right to Seek)*

Merits, Reparations and Costs

Judgment of January 21, 1994. Series C No. 16

Monitoring Compliance with Judgment

[None]

III) Case of the Moiwana Community v. Suriname

On November 29, 1986, members of the armed forces of Suriname attacked the N'djuka Maroon village of Moiwana. State agents allegedly massacred over 40 men, women and children, and razed the village to the ground. Those who escaped the attack supposedly fled into the surrounding forest, and then into exile or internal displacement. Furthermore, as of the date of the application, there allegedly had not been an adequate investigation of the massacre, no one had been prosecuted or punished and the survivors remained displaced from their lands; in consequence, they have been supposedly unable to return to their traditional way of life. The Court found that the State violated the American Convention on Human Rights.

Key Words: *Access to Legal Procedures; Civil and Political Rights; Economic, Social, and Cultural Rights; Expulsion, Deportation, and Forcible Return; Freedom of Information; Movement and Residence; Housing, Land, and Property Rights; Indigenous Peoples' Rights; Internally Displaced Persons; Crimes Against Humanity; Freedom from Torture and other Cruel, Inhumane and Degrading Treatment*

Preliminary Objections, Merits, Reparations and Costs

Judgment of June 15, 2005. Series C No. 124

Monitoring Compliance with Judgment

- 1) Order of the Inter-American Court of Human Rights of November 21, 2007
- 2) Order of the President of the Inter-American Court of Human Rights of December 18, 2009 (Available only in Spanish)
- 3) Order of the Inter-American Court of Human Rights of November 22, 2010

IV) Case of the Saramaka People v. Suriname

This case addresses indigenous peoples' rights to their land and their struggle against encroachment by mining and logging companies carrying out activities on their territory on the basis of concessions granted by the State without consultation with the indigenous people. The Court found State committed violations of the American Convention against the members of the Saramaka people, a tribal community living in the Upper Suriname River region, by failing to adopt effective measures to recognize the Saramaka people's right to the use and enjoyment of the territory they traditionally occupied and used. The State also failed to provide the Saramaka people with the right to effective access to justice for the protection of their fundamental rights, particularly the right to own property in accordance with their communal traditions. Lastly, the State failed to adopt domestic legal provisions in order to ensure and guarantee such rights to the Saramaka people.

Key Words: *Access to Legal Procedures; Economic, Social, and Cultural Rights; Housing, Land, and Property Rights; Indigenous Peoples' Rights; Judicial Protection (Right to)*

Preliminary Objections, Merits, Reparations and Costs

Judgment of November 28, 2007. Series C No. 172

Monitoring Compliance with Judgment

- 1) Order of the President of the Inter-American Court of Human Rights of April 20, 2010
- 2) Order of the Inter-American Court of Human Rights of November 23, 2011
- 3) Order of the Inter-American Court of Human Rights of September 4, 2013

V) Case of Liakat Ali Alibux v. Suriname

Mr. Liakat Ali Alibux, the former Minister of both Finance and Natural Resources purchased a complex of buildings between June and July 2000. On November 5, 2003, he was convicted of the crime of forgery in relation to the purchase of building complexes under the Indictment of Political Office Holders Act. At the time of his conviction, there was no remedy for appealing the judgment. The Court found that the State violated the American Convention on Human Rights.

Key Words: *Movement and Residence; Access to Legal Procedures*

Preliminary Objections, Merits, Reparations and Costs

Judgment of January 30, 2014. Series C No. 276

Monitoring Compliance with Judgment

[None]

VI) Case of Kaliña and Lokono Peoples v. Suriname

This case is about the rights of the indigenous Kaliña and Lokono people in Suriname. During the 1960s through the 1980s, the State established three separate nature reserves on Kaliña and Lokono ancestral territory. These reserves negatively impacted the indigenous groups by preventing the groups from accessing certain parts of their lands. The State also began mining in

the nature preserves, which had a significant negative impact on the area's ecosystem. Lastly, the State began to sell land to non-indigenous people that was contiguous to Kaliña and Lokono land, and facilitated the development of an urban housing project. As Suriname does not recognize indigenous groups as legal entities, the petitioners were unable to collectively retain title to their lands. The Court found that the State had violated the American Convention on Human Rights.

Key Words: *Access to Legal Procedures; Freedom of Expression; Property; Discrimination; Housing, Land, and Property Rights; Indigenous Peoples' Rights; Judicial Protection (Right to); Movement and Residence*

Preliminary Objections, Merits, Reparations and Costs

Judgment of November 25, 2015. Series C No. 309

Monitoring Compliance with Judgment

[None]

B) Provisional Measures (Art 63.2)

- 1) Case of of the Saramaka People regarding Suriname [September 4, 2013]