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Report on Human Rights Abuses

“Right to Peaceful Demonstration” & “Right to Freedom of Expression”

The curtailing of rights by an unaccountable government in the Republic of Suriname



This report is written by Milton Castelen, LL.M.,¹ as a concerned citizen and on behalf of other concerned citizens and organizations in the Republic of Suriname.

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CONSIDERATIONS

1. The stakeholders of this jointly submitted report emphasize that human rights are universal and inalienable; indivisible; interdependent and interrelated, also referred to as the five core principles of human rights.² Against that backdrop, the stakeholders reiterate the importance of upholding all human rights, however given the specific context of the situation in Suriname, this stakeholder's submission will focus on:
 - The right to peaceful demonstration.
 - Freedom of expression.
 - Accountability and the Rule of Law.
2. Highlighting Article 26 of the Vienna Convention that codifies the pacta sun servanda principle, thereby regulating the commitment of contracting parties to the Convention. The pacta sun servanda principle prescribes that any treaty that has entered into force binds parties and that treaty parties must implement the treaty in good faith. Suriname ratified the Vienna Convention on the Law of Treaties on January 31, 1991, and has thus committed itself to the provisions of the Convention.
3. Referencing Article 27 of the Vienna Convention domestic law, prohibiting a party from invoking provisions of domestic law to justify non-implementation of a Convention.
4. Noting that Articles 105 and 106 of the Constitution of Suriname, concerning the binding force of binding provisions on everyone of treaties and the effect of international law in the national law pertaining to those any binding provisions, emphasize the relationship between these two legal spheres. The foregoing is important in connection with the effect of provisions of human rights treaties to which Suriname is a party, in particular the International Covenant on Civil and Political Rights (ICCPR) and the American Convention of Human Rights (ACHR). The Inter-American Court of Human Rights (IACrtHR) case law has also shown that international law takes precedence over national law.
5. Emphasizing that Suriname is a party to several human rights treaties, including the ICCPR and the ACHR. On December 28, 1978, Suriname became a party without any reservation to the ICCPR and the Additional Protocol on the Individual Right of Complaint. On November 12, 1987, Suriname became a party without any reservation to the ACHR and has accepted the jurisdiction of the IACrtHR unconditionally. The right to peaceful demonstration is enshrined in these treaties and recognized by the Office of the Special Rapporteur for Freedom of Expression of the Inter-American Commission.³
6. Reiterating the expressed concerns in the report of the Office of the Special Rapporteur for Freedom of Expression of the Inter-American Commission of 2019. In particular that the region continues to be the scene of repression, dispersal, and limitation of the exercise of these rights in the public sphere. That this situation stems from a deep-rooted conception that considers citizen mobilization to be a form of disruption of the public order or, even worse, a threat to the stability of democratic institutions.⁴
7. Highlighting the objective of the report of the Office of the Special Rapporteur for Freedom of Expression of the Inter-American Commission of 2019 as to contribute to a better understanding of State obligations aimed at guaranteeing, protecting, and facilitating public protests and demonstrations, as well as the standards that should frame the progressive use of force—and as a last resort—in protest contexts.⁵

² <https://www.ohchr.org/en/what-are-human-rights>

³ IACHR Office of Special Rapporteur for Freedom of Expression, *'Protest and Human Rights. Standards on the rights involved in social protest and the obligations to guide the response of the State'*, OEA/SER.L/V/II CIDH/RELE/INF.22/19 September 2019

⁴ IACHR Office of Special Rapporteur for Freedom of Expression, *'Protest and Human Rights. Standards on the rights involved in social protest and the obligations to guide the response of the State'*, OEA/SER.L/V/II CIDH/RELE/INF.22/19 September 2019, p. 1

⁵ IACHR Office of Special Rapporteur for Freedom of Expression, *'Protest and Human Rights. Standards on the rights involved in social protest and the obligations to guide the response of the State'*, OEA/SER.L/V/II CIDH/RELE/INF.22/19 September 2019, p. 1



8. Recalling that criminal law is last resort in the Surinamese legal system. Based on the Dutch legal system, the last resort principle⁶ is also used as a fundamental guideline of the Surinamese legal system to determine the scope of substantive criminal law. The principle is a reserved approach towards turning to the criminal law, as most appropriate from the perspective of limited governmental powers and the interfering character of criminalization. In Dutch literature, it is usually referred to as the principle of *ultimum remedium*, but also known as the subsidiarity principle. The last resort principle relates to the question whether in an individual case criminal prosecution is opportune or not; for the criminal judge, the last resort principle plays a role in the sphere of punishment – sanctions should not be more severe than necessary and custodial sanctions are to be handed down only when there is no alternative.
9. Cognizant of the principles of accountability and Rule of Law, the stakeholders emphasize that the State Suriname is a duty-bearer who is answerable for the observance of human rights. The State must comply with the legal norms and standards enshrined in international human rights instruments.
10. Noting that where the State fails to account for its non-observance of human rights, aggrieved rights-holders are entitled to institute proceedings for appropriate redress before a competent court or other adjudicator in accordance with the rules and procedures provided by law.
11. Noting also that the international community plays important roles in holding governments accountable for their obligation to uphold human rights.⁷
12. Confident the stakeholders are, based on the considerations above, that this joint submission will contribute to the continued constructive dialogue with the Surinamese government, aiming at the improvement of the human rights situation on the themes as mentioned.

VIOLATED RIGHTS, FREEDOMS AND OBLIGATIONS

Universal Declaration of Human Rights (UDHR)

Article 19

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

Article 20

1. Everyone has the right to freedom of peaceful assembly and association.
2. No one may be compelled to belong to an association.

Article 29

2. In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.

⁶ Jannemieke W. Ouwerkerk, 'Criminalisation as a last resort: A national principle under the pressure of europeanisation?', *Universiteit van Tilburg LIS, New Journal of European Criminal Law*, Vol. 3, Issue 3-4, 2012, p. 229-230

⁷ <https://www.unfpa.org/resources/human-rights-principles>



International Covenant on Civil and Political Rights (ICCPR)

Article 19

1. Everyone shall have the right to hold opinions without interference.
2. Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.
3. The exercise of the rights provided for in paragraph 2 of this article carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:
 - (a) For respect of the rights or reputations of others;
 - (b) For the protection of national security or of public order (ordre public), or of public health or morals.

Article 21

The right of peaceful assembly shall be recognized. No restrictions may be placed on the exercise of this right other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order (ordre public), the protection of public health or morals or the protection of the rights and freedoms of others.

American Declaration of the Rights and Duties of Man

Article XXI.

Every person has the right to assemble peaceably with others in a formal public meeting or an informal gathering, in connection with matters of common interest of any nature.

Article XXIV.

Every person has the right to submit respectful petitions to any competent authority, for reasons of either general or private interest, and the right to obtain a prompt decision thereon.

American Convention on Human Rights

Article 13.

1. Everyone has the right to freedom of thought and expression. This right includes freedom to seek, receive, and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing, in print, in the form of art, or through any other medium of one's choice.
2. The exercise of the right provided for in the foregoing paragraph shall not be subject to prior censorship but shall be subject to subsequent imposition of liability, which shall be expressly established by law to the extent necessary to ensure:
 - a. respect for the rights or reputations of others; or
 - b. the protection of national security, public order, or public health or morals.
3. The right of expression may not be restricted by indirect methods or means, such as the abuse of government or private controls over newsprint, radio broadcasting frequencies, or equipment used in the dissemination of information, or by any other means tending to impede the communication and circulation of ideas and opinions.



4. Notwithstanding the provisions of paragraph 2 above, public entertainments may be subject by law to prior censorship for the sole purpose of regulating access to them for the moral protection of childhood and adolescence.

5. Any propaganda for war and any advocacy of national, racial, or religious hatred that constitute incitements to lawless violence or to any other similar action against any person or group of persons on any grounds including those of race, color, religion, language, or national origin shall be considered as offenses punishable by law.

Article 15.

The right of peaceful assembly, without arms, is recognized. No restrictions may be placed on the exercise of this right other than those imposed in conformity with the law and necessary in a democratic society in the interest of national security, public safety or public order, or to protect public health or morals or the rights or freedom of others.

Charter of Civil Society for the Caribbean Community

ARTICLE VII

Meetings, Demonstrations and Petitions

Every person shall have the right to assemble, to demonstrate peacefully and to draw up and present petitions, subject to such restrictions as may be imposed by national law in the public interest and which are reasonably justifiable in a free and democratic society.

ARTICLE VIII

Freedom of Expression and Access to Information

1. Every person shall have the right to the enjoyment of freedom of expression including the right to:

(a) hold opinions and to receive and communicate ideas and information without interference and freely to send or receive communications by correspondence or other means;

(b) seek, distribute or disseminate to other persons and the public information, opinions, and ideas in any form whatever.

2. The right conferred by paragraph 1 of this Article shall also be enjoyed by the media.

3. The exercise of the right conferred by this Article carries with it special duties and responsibilities and may be exercisable subject to such reasonable restrictions in the public interest, as may be imposed by law and are justifiable in a democratic society:

(a) for the protection of the reputations, rights and freedoms of other persons; or

(b) in the interest of defence, public safety, public order, public morality or public health.

4. The States shall respect, encourage and promote the existence of a diversity of sources of information as a means of ensuring greater public access to information.

5. This Article shall not be construed as preventing the State from requiring the licensing of broadcasting, transmission or other means of communication, public exhibition or public entertainment.

Constitution of the Republic of Suriname

Article 19

Everyone has the right to express his thoughts or feelings and to express his opinion through the printing press or other means of communication, subject to everyone's responsibility under the law.



Article 20

Everyone has the right to freedom of peaceful association and assembly, with due observance of provisions to be laid down by law in the interests of public order, security, health and morality.

Article 21

1. The right to peaceful demonstration is recognized.
2. The exercise of this right may be subject to rules and restrictions by law in the interests of public order, safety, health and morals.

Article 22

1. Everyone has the right to submit requests in writing to the competent authority.
2. The law regulates the procedure for handling it.

Article 23

In the event of war, threat of war, martial law or other exceptional circumstances, or for reasons of state security, public order and morality, the rights set out in the Constitution may be subject by law to restrictions, which may be imposed for a certain period, depending on the situation, will be in force, subject to applicable international provisions.

Article 105

Provisions of the agreements referred to in Article 103⁸, which can bind everyone according to their content, have binding force after they have been published.

Article 106

Legal regulations applicable within the Republic of Suriname do not apply if this application would not be compatible with provisions of treaties that are binding on everyone, irrespective if the legal regulations are of older or younger date than the treaty.

CHRONOLOGICAL OVERVIEW OF FACTS AND CIRCUMSTANCES

- 1. Consultations, trust, good governance expectations and broad public support** – The government coalition formed after the elections of 25 May 2020, consisting of the political parties the VHP, ABOP, NPS and PL, held consultations with interested organizations in society prior to the formal acceptance of government power to compile an informed coalition agreement 2020-2025. *"There is a great need for up-to-date information from society, so that policy can be adjusted accordingly". "That will be the big difference between previous governments and the future government. All actors will be involved"*, Santokhi said⁹.
- 2. The initial trust in the new coalition** – On June 10, 2020, the VHP, the political party of the president, reported that more than 80 organizations had registered for hearings with the new coalition led by Chandrikapersad Santokhi¹⁰.

⁸ See Article 103 of the Constitution of the Republic of Suriname: *Treaties with other States and with organizations under international law are concluded by or with the authorization of the President and, insofar as the agreement so requires, ratified by the President. These agreements shall be communicated to the National Assembly as soon as possible; they shall not be ratified and shall not enter into force until approved by the National Assembly.*

⁹ The complete interview with **Chandrikapersad Santokhi** on ABC: <https://youtu.be/rildIleJVFo>

¹⁰ https://www.facebook.com/VHPSuriname/photos/meer-dan-80-organisaties-melden-zich-aan-voor-hearings-met-nieuwe-coalitie-onder/4003832766324761/?paipv=0&eav=AfbukzQcyZAZF-Cj7OIIRoF99J6A01DDAe3D9-cdQoVIMVDddiWw15EhmJ68mWbm_eo&_rdr



3. **The installation and start of the new coalition government** – On Thursday, July 16, 2020, Chandrikapersad Santokhi was inaugurated as the new President of the Republic of Suriname. The inauguration ceremony took place in an extraordinary assembly of the National Assembly, held on the Independence Square. From that date, the new government, led by Chandrikapersad Santokhi as president and Ronnie Brunswijk as vice-president, is formally in charge and responsible for the country's administration.
4. **Fading trust, increased sense of betrayal by the government** – Soon after the government took office, an increasing section of society began to turn against the displayed government policies and behavior that were at odds with the promises and agreements made before and during the hearings and which had meanwhile been included in the coalition agreement 2020-2025. Public dissatisfaction and distrust grew rapidly and noticeably.
5. **Governments fear for social unrest** – On Thursday, August 5, 2021, the Minister of Justice and Police, Kenneth Amoksi, answered questions from opposition Assembly member Stephen Tsang (NDP) about the purchase of tear gas in the National Assembly. Days before, the Suriname Police Force had announced that it would hold a public tender for the supply of tear gas 'with accessories', to be financed from the State budget. The minister justified the purchase of the repressive agent (tear gas) by stating: *“We often see announcements of actions on social media. In addition, the government has current obligations with production companies to guarantee a stable business climate. It could go in any direction, and we have to be prepared for these circumstances.”*
6. **Public opinion on the purchase of tear gas** – A newspaper article, published on August 7, 2021, by Dagblad Suriname,¹¹ stated that according to public opinion, the government's decision to purchase tear gas was prompted by the increasing dissatisfaction and unrest among the population about the continuing dramatic financial-economic situation and on top of that the ongoing Covid-19 measures. This situation had enormous consequences for the well-being of citizens. There was also a general impression that the strike threatening by trade unions played a role in prompting the security authorities to purchase tear gas.
7. **Threats with tear gas will not be a deterrent** – The same article of Dagblad Suriname indicated that the purchase of tear gas and accessories would not prevent any demonstrator or activist from taking to the streets and demonstrating against government policy.
8. **Increased intimidation of critics through enforcement of muzzle legislation** – According to a newspaper article published by de WareTijd on March 8, 2023,¹² dozens of Santokhi's critics have already been arrested and imprisoned for defamation since July 2020, the date on which Santokhi's presidency started. In most cases, the critics were released after a few days and never charged, let alone appeared in court and convicted. Their arrest was based on more than a century-old 'muzzle law'¹³, which Santokhi has dusted off. The arrests are therefore mainly seen as a means to frighten people and to make clear to them that they should keep their criticism to themselves.
9. **Intimidation and rancor towards critical journalists** – The media have also publicly condemned the government's attacks on the free press with a public statement on November

¹¹ See Dagblad Suriname, *“Minister Amoksi: Aanschaf traangas heeft te maken met paraatheid van onze veiligheidsinstututen”*, <https://www.dbsuriname.com/2021/08/07/minister-amoksi-aanschaf-traangas-heeft-te-maken-met-paraatheid-van-onze-veiligheidsinstututen/>

¹² See de WareTijd, *“BESCHOUWING — Santokhi wil ook zijn critici in buitenland de mond snoeren”*, <https://dwtonline.com/beschouwing-santokhi-wil-ook-zijn-critici-in-buitenland-de-mond-snoeren/>

¹³ See Article 152 of the Penal Code of the Republic of Suriname: *“INSULT HEAD OF STATE/ACTING HEAD OF STATE - Deliberate insult to the Head of State or the acting Head of State is punishable by imprisonment not exceeding five years or a fine not exceeding one thousand guilders”*; See Article 153 of the Penal Code of the Republic of Suriname: *“(1) Any person who distributes, openly displays or mounts or has in stock to be distributed, openly exhibited or mounted any writing or image containing an insult to the Head of State or the acting Head of State, shall, if he knows or has serious reason to suspect that the writing or the image contains such an insult, punishable by imprisonment not exceeding one year or a fine not exceeding three hundred guilders. (2) The same penalty shall be imposed on anyone who, with equal knowledge or like reason to suspect, openly utters the contents of such writing. (3) If the offender commits one of the crimes described in this article in his profession and, at the time of committing the crime, less than two years have elapsed since an earlier conviction of the offender for one of these crimes has become irrevocable, be disqualified from exercising that profession”*.



15, 2022.¹⁴ In it, the Surinamese Association of Journalists (SVJ) and the editors-in-chief of the morning newspaper de Ware Tijd expressed their disapproval of the treatment of the press by the government during a recent held press meeting. The media present at that event once again experienced that the government has difficulty with critical questions being asked by journalists. The statement indicates that the media have found that the government continues to seriously infringe on press freedom and that this is not in keeping with a democratic society. Certainly not after constructive talks with the government following a series of incidents culminating in the physical attack on journalist Jason Pinas by the vice president's security guards last December. Furthermore, the SVJ and de Ware Tijd stated in the statement that they were very surprised that after the press conference in question, security for the journalist Pinas was withdrawn by the government. This without any form of explanation or announcement. That security was provided by the state because of a life-threatening incident at the journalist's home address. To them, this act of the government appears as resentment and intolerance on the part of the government. The SVJ and de Ware Tijd anticipated that the government will try to explain that these two issues are separate, but that no credence can be attached to that explanation.

10. Old permit law and criminal law as deterrent to peaceful protest – Also, peaceful demonstration has systemically been obstructed with the use of the archaic Article 49 of the Police Penal Code¹⁵. The Article prescribes that: *“(1) Holding, leading or organizing and participating in parades or demonstrations in public, of whatever nature or purport, is prohibited, unless the police commissioner concerned and, in a district, the relevant district police Commissioner has granted written permission. (2) The authority which has granted such a license shall have the power to revoke it at any time. (3) Violation of the prohibition of the first paragraph of this article is punishable by imprisonment not exceeding one month or a fine not exceeding one hundred guilders”*.

11. Ineffective measures to counter peaceful protests – Despite the invoked legal barrier, there have been several protests where organizers and participants have openly and explicitly refused to comply with the permit requirement of Article 49 of the Police Penal Code. These protests were small and large, against the policies and actions of the government. One of these was the Organic Movement, the first relatively large protest held in 2022.

12. Protest of July-August 2022 – The Organic Movement protests were held from July 15 to August 13, 2022. Against its better judgment and the truth, the government has identified the Organic Movement protest as having called for civil disobedience against the lawfully democratically elected government. The leaders of the protest, of who two Chief Inspectors of police were targeted and accused of having protested without permits, while influencing citizens with speeches during those protests with the aim to turn them against the government of the country. The aim of the protest, according to the government, was to overthrow the legitimate government of the country. It was also stated, contrary to the truth, that public order and safety had been seriously disturbed by the protest action and that the protection of persons and property could not be guaranteed, so that it could not be ruled out that the state security was endangered.

13. False claim of aim to overthrow the government – The president has expressed all the above unjustified accusations in the disciplinary decision of dismissal with immediate effect of the two Chief Inspectors of Police dated November 4, 2022.¹⁶ That the accusation of aim to overthrow the government runs counter with the truth is clear from, among other things, the newspaper article of the news medium Suriname Herald of July 23, 2022, with the headline *“President has now been formally informed about Organic Movement demands”*.¹⁷ The article lists seven concrete acts committed by the government, ranging from corruption to nepotism, that the protesters wanted to see changed.

¹⁴ See Suriname Herald, “SVJ en dWT veroordelen aanhoudende inbreuk op persvrijheid door regering”, <https://www.srherald.com/suriname/2022/11/15/svj-en-dwt-veroordelen-aanhoudende-inbreuk-op-persvrijheid-door-regering/>

¹⁵ Article 49 of the Police Penal Code has been enacted by Gouvernementsblad (G.B.) 1933 no. 94.

¹⁶ See Waterkant.net, “Hellings en Gentle ontslagen: morgen spoed ALV Politiebond”, <https://www.waterkant.net/suriname/2022/11/07/hellings-en-gentle-ontslagen-morgen-spoed-alv-politiebond/>

¹⁷ See Suriname Herald, “President is nu formeel geïnformeerd over eisen Organic Movement”, <https://www.srherald.com/suriname/2022/07/23/president-is-nu-formeel-geinformeerd-over-eisen-organic-movement/>



- 14. False claim of incitement and destabilization** – Furthermore, the article of the international organization The Global American.org of October 19, 2022, entitled “*Suriname's Frustrated Path to Better Governance*”, contradicts the allegations of incitement and destabilization made against the Organic Movement.¹⁸ According to the article, the protest has actually contributed to the difficult process towards good governance.
- 15. False claim of disrupted public order and safety and endangered state security** – Also objectionable is the accusation that the protest seriously disrupted public order and safety, as a result of which the protection of persons and property could not be guaranteed, and that it could not be ruled out that state security was endangered. The official letter addressed to the Organic Movement from the President of the Republic of Suriname with the reference secpres/3397/22 and dated Paramaribo July 26, 2022¹⁹, refutes that accusation. A quote from the second paragraph of the president his letter reads: “*I am pleased that the protests have been peaceful and orderly to date. I greatly appreciate your input, also in cooperation with the police and other services.*” But also, the quote from the third paragraph, namely: “*However, I also note that signals have been received and concrete, illegal activities are being undertaken that are NOT related to YOUR ACTION, that are not conducive to the peaceful process of demonstrations.*”, clearly speaks volumes about the misleading allegations made by the government in its attempt to undermine the exercise of the right to peaceful demonstrations.
- 16. Pending appeal court case** – The two Chief Inspectors have appealed against the disciplinary penalty of dismissal from government service to the Court of Justice (civil service cases). The case is still pending, due to an unresponsive defendant party: the State.
- 17. Protest of February 2023** – The next relatively large protest was that of February 17, 2023. This demonstration had wide cross-sectoral support,²⁰ and also started with a peaceful character near the parliament. But for reasons still unexplained, that assembled mass was dispersed by the law enforcement and military officers present who started to shoot with tear gas and sharp cartridges. As a result, the peaceful character of the gathered demonstrators changed into an aggressive disintegrated mass that rioted, destroyed and looted the grounds of the parliament, its vicinity and also the shopping center.
- 18. Repression-related violence** – This explosion of unprecedented violence has sent shock waves through society. However, many believe that the violence, which has been widely denounced, has been the result of the repressive attitude of the government, which has made it impossible for citizens to exercise the right to freedom of expression and peaceful protest. This has led to insufficient opportunity for society to express irritations, frustrations, and dissatisfaction.²¹
- 19. Misuse riots and looting incident for an aversion to peaceful protests** – The government cunningly used the incidents of February 17, 2023, to instill fear into participating in peaceful demonstrations. But also, by criminalizing peaceful protest by equating it with rioting and looting. The government has done this by focusing nationally and internationally only on the excesses and not on the reasons behind the peaceful protest. Additionally, the government had launched an aggressive hunt down with facial recognition and serious criminal charges against anyone who had in any way called for the peaceful protest and/or had participated in the protest. Even accusations such as attempted manslaughter circulated in the media. For example, the government held the most visible leader of the peaceful protest, jointly and severally responsible for the excesses. As a result, he was tracked down as a kind of prime suspect on suspicion of having committed several serious crimes. These include disturbance of public order or disruption of the economic life of society, complicity in public violence

¹⁸ See The Global American.org, “*Suriname's Frustrated Path to Better Governance*”,

<https://theglobalamericans.org/2022/10/surinames-frustrated-path-to-better-governance/>

¹⁹ Copy of Letter from President Santokhi with reference secpres/3397/22, dated 7/26/2022

²⁰ See Starnieuws, “*Biervliet loopt buurten af voor protest op 17 februari*”,

<https://www.starnieuws.com/index.php/welcome/index/nieuwsitem/74203>

²¹ See Suriname Herald, “*Enorm voordringen om de heiligheid uit te hangen is bijna misselijkmakend*”,

https://www.srherald.com/ingezonden/2023/02/19/enorm-voordringen-om-de-heiligheid-uit-te-hangen-is-bijna-misselijkmakend/?utm_source=rss&utm_medium=rss&utm_campaign=enorm-voordringen-om-de-heiligheid-uit-te-hangen-is-bijna-misselijkmakend



against persons or property, complicity in deliberate arson, complicity in theft by more or two persons, and complicity in destruction or damage to property.²²

20. Misuse criminal law for an aversion to peaceful protests – Sunday, February 19, 2023, two days after the protest and riots, the leader of the protest, after being summoned to do so by the Minister of Justice and Police, voluntarily reported himself to the police, accompanied by his lawyer. The Justice and Police Minister, Kenneth Amoksi, described the protest organizer as someone who showed no courage and was hiding.²³ Upon reporting himself the protest organizer was arrested and taken in custody. During the first period of his detention, he was restricted from contact with anyone other than his legal counsel.²⁴ He was held in detention for a total of nine (9) days before being released on February 27, 2023.²⁵

21. Further restrictions following the protests of February 17, 2023 – On February 27, 2023, the activist Curtis Hofwijks announced via the daily newspaper De West that he had been summoned by the Corps Police Suriname (KPS) for an informative talk about future protest actions, following the demonstration of February 17, 2023. The latter was peaceful until chaos ensued because the armed forces started shooting with sharp ammunition and tear gas, allowing individuals to abuse the resulting disorder to riot and loot. The KPS announced a more restrictive policy on behalf of the government. The main message was that the government will start to enforce the general permit requirement for peaceful demonstrations, as prescribed by Article 49 of the Police Penal Code. Without a permit, swift action will be taken, whereby the leader(s)/responsible person(s) will be immediately apprehended by the police. Furthermore, it will not be allowed to use the Palm Garden and Independence Square – the regular locations for demonstrations – without permission from the Cabinet of the President. Permission will also no longer be granted for the use of a sound truck. And the police will take firm action if it appears that people do not keep to the agreements made and public order is disturbed, or if they commit criminal offenses, vandalism or wantonness.²⁶

22. National (Democratic) Dialogue – On Friday, February 24, 2023, a week after the February 17 riots, the president announced in the National Assembly that the government would begin a National Dialogue on Sunday, February 26, 2023. The he had set aside two weeks for the dialogue. As the president indicated, the government would enter into a dialogue with all layers of society, in particular associations, companies, trade unions, political parties, civil society organizations and citizens, to find out the core of the situation that has arisen. According to the president, this was a necessary strategy to follow to know exactly what every citizen in Suriname would like to change. The president indicated that government policy would be geared to this, followed by joint undertaking to identify solutions to benefit the development of Suriname. He assured that the government will continue the path of dialogue to bring solutions.²⁷

23. No compliance with the OAS-UNDP guidelines for democratic dialogues – The sudden announced commencement of a national dialogue on February 26, 2023, by the president on February 24th, has given rise to the suspicion that it was not a democratic dialogue, according to the OAS-UNDP model. Society was completely unaware of the intention to hold a dialogue, which made it clear that the four main phases for a democratic dialogue had not been completed or had not been completed with due care. As a result, it was completely unclear who actually asked for the dialogue and why, reinforcing the impression that it was a dialogue-simulating public conversation aimed at buying time. In response to these signals received, the first critical articles on the democratic mechanism of dialogue were published on Monday, February 27,

²² See De West, “*Pakittow verweten van geweldpleging, vernieling en beschadiging van goederen*”, <https://dagbladdewest.com/2023/02/21/pakittow-verweten-van-geweldpleging-vernieling-en-beschadiging-van-goederen/>

²³ See De West, “*Pakittow meldt zich en wordt waarschijnlijk voorgeleid*”, <https://dagbladdewest.com/2023/02/21/pakittow-meldt-zich-en-wordt-waarschijnlijk-voorgeleid/>

²⁴ See De West, “*Pakittow verweten van geweldpleging, vernieling en beschadiging van goederen*”, <https://dagbladdewest.com/2023/02/21/pakittow-verweten-van-geweldpleging-vernieling-en-beschadiging-van-goederen/>

²⁵ See De West, “*Pakittow zal strijd niet opgeven, gaat door met acties*”, <https://dagbladdewest.com/2023/02/28/pakittow-zal-strijd-niet-opgeven-gaat-door-met-acties/>

²⁶ See De West, “*Hofwijks: Goed gesprek met KPS over protestacties*”, <https://dagbladdewest.com/2023/02/27/hofwijks-goed-gesprek-met-kps-over-protestacties/>

²⁷ See Starnieuws, “*President begint zondag met nationale dialoog*”, <https://www.starnieuws.com/index.php/welcome/index/nieuwsitem/74418>



2023.²⁸ The articles warned for the risk of not yielding the desired effect and of further loss of faith in the democratic government. More so, since the dialogue has no structured nature, it being linked to the protests of February 17, 2023, and it being presented as a strategy to influence government policy. The expectations generated by the president with the dialogue, were misleading, because there was little, or no room left for policy and budget adjustment. In the same parliamentary session of February 24, 2023, in which the president announced the dialogue, the budget of the policy goals and actions for the year 2023 was approved by parliament. In addition, the government had announced that the approved budget will also be submitted to the International Monetary Fund (IMF) for approval. As a result, the possibility for adjustments will diminish further.

24. Growing social skepticism towards the democratic mechanism of dialogue – The announced dialogue was met with fair degree of skepticism by society.²⁹ Reference was made to the many unsuccessful consultations with the government as of 2020. It was also pointed out that the president conducts many monologues and makes promises, which he does not keep. The reliability of the president and his government is therefore called into question. Another argument is that the many petitions and demonstrations have not been successful in persuading the government to reverse corrupt acts and friends and family appointments. That is why important people and organizations have declined the invitation to sit down and talk again. Examples of organizations and individuals that have declined the invitation are the Association of Economists (VES)³⁰, the largest trade union federation (C-47)³¹, the largest civil society platform (the Citizens' Initiative for Participation and Good Governance (BINI))³², political parties, such as DOE³³, NPS³⁴, DA'91³⁵, BEP³⁶ and NDP³⁷. Activists who have criticized and/or protested government policies and practices, and consequently have been dismissed from government service and/or have been criminally charged, were also invited but have declined the invitation.³⁸

25. Simulated dialogue to buy time – In response to the social skepticism, the government has chosen without further explanation not to call the national dialogue that started on Sunday, February 26, 2023, a dialogue. Alternately, the activity is referred to as the dialogue or the preliminary talks to arrive at a national dialogue. This inconsistency is confusing. It must be noted that the so-called pre talks continued into the week of March 13, 2023³⁹ and March 20, 2023.⁴⁰ This shows that the dialogue is taking longer than initially announced. Considering the limited time, the government has left before the next election in May 2025, the so-called dialogue process is increasingly taking on the character of a strategy to buy time.

26. 'Alles Plat' protest March 2023 – On March 10, a collective of activists announced in a joint public statement a complete standstill (alles plat) protest on March 24, 2023.⁴¹ The collective

²⁸ See Sun nieuws, “(Democratische) dialoog?”, https://sun.sr/Details/23320_--%28Democratische%29-dialoog%3F_233200444423320006190308960opinions.jpg

²⁹ See de Ware Tijd, “Holle dialoog”, <https://dwtonline.com/holle-dialoog/>

³⁰ See Unitednews, “VES | Afzegging deelname vooroverleg i.h.k.v. nationaal dialoog”, <https://unitednews.sr/ves-afzegging-deelname-vooroverleg-i-h-k-v-nationaal-dialoog/>

³¹ See de Ware Tijd, “C-47 participeert niet in nationale dialoog van president”, <https://dwtonline.com/c-47-participeert-niet-aan-nationaal-dialoog-van-president/>

³² See de Ware Tijd, “Burgerinitiatief past voor gesprekken met president”, <https://dwtonline.com/burgerinitiatief-past-voor-gesprekken-met-president/>

³³ See Starnieuws, “DOE zegt vooroverleg nationale dialoog af; voorwaarden”, <https://www.starnieuws.com/index.php/welcome/index/nieuwsitem/74595>

³⁴ See Starnieuws, “NPS: Inzichten zijn op verschillende fora aangegeven”, <https://www.starnieuws.com/index.php/welcome/index/nieuwsitem/74718>

³⁵ See Starnieuws, “DA'91 doet niet mee met vooroverleg nationale dialoog”, <https://www.starnieuws.com/index.php/welcome/index/nieuwsitem/74705>

³⁶ See Starnieuws, “BEP werkt niet mee aan verkapte evaluatie beleid”, <https://www.starnieuws.com/index.php/welcome/index/nieuwsitem/74771>

³⁷ See Starnieuws, “NDP neemt niet deel aan vooroverleg nationale dialoog”, <https://www.starnieuws.com/index.php/welcome/index/nieuwsitem/74717>

³⁸ See Suriname Herald, “Saya accepteert, Pique ziek en Gentle wijst af”, <https://www.srherald.com/suriname/2023/03/19/saya-accepteert-pique-ziek-en-gentle-wijst-af/>

³⁹ See Culturu nieuws, “President Santokhi heeft voorgesprek Nationale Dialoog met VPSI”, <https://www.culturu.com/nieuws/suriname/president-santokhi-heeft-voorgesprek-nationale-dialoog-met-vpsi/>

⁴⁰ See Sun Nieuws, “Santokhi praat met gewezen staatshoofden Wijdenbosch en Shankar”, https://sun.sr/Details/23758_-Santokhi-praat-met-gewezen-staatshoofden-Wijdenbosch-en-Shankar_0302429sanbosje.jpg

⁴¹ See Starnieuws, “24 maart 'Alles Plat' (update)”, <https://www.starnieuws.com/index.php/welcome/index/nieuwsitem/74638>



states that it intends to exercise the constitutional right to peaceful demonstrations. For that reason, it will not apply for a permit for the protest. The collective argues that requesting a permit to exercise the right to peaceful protest is unconstitutional and a violation of the related international treaties to which Suriname is a party. However, the collective states that it will coordinate this protest closely with the police. In this light the collective has appealed to the government to fulfill its duty of care, in ensuring sufficient police forces to guarantee that the peaceful character of the protest is protected. The collective itself will also provide a service for maintaining order and cleaning up afterwards.

27. New purchase tear gas, grenade launchers and ammunition – In the meantime, commotion has arisen in society after an invoice for weaponry from a Surinamese company circulated on social media. It showed that a large quantity of various types of tear gas, grenade launchers and ammunition were purchased by the Ministry of Defense. According to Defense Minister Krishnakoemarie Mathoera, these purchases are for regular military training and for crowd control. She indicated that these purchases are intended, among other things, to increase a sense of security in society. Mathoera stressed that society has a right to be protected against calamities. In her explanation, the minister also referred to the protest of February 17, 2023, and the announced protest of March 24, 2023, stating that she hopes that the gas will not have to be used.⁴²

28. Fear for excessive violence by armed forces at upcoming protests – Contrary to the Defense Minister, public administration expert, August Boldewijn, expressed concern about the purchase of the large amount of tear gas and other weaponry such as grenade launchers by the ministry of Defence.⁴³ He responded to the Defense Minister's public statement that the purchase of the military equipment is intended for "crowd control", in case it is deemed necessary in the event of any protest. Boldewijn worries that if rioters prepare for a clash with security forces, there could be deaths. He is also of the view that the disruptors of the protest of February 17, 2023, caused that the message of the demonstrators probably did not get across sufficiently to the national government. Boldewijn also stated that the purchased tear gas and military equipment without a public tender is against the law. Countering the minister's regret about the leaking of the purchases, Boldewijn argued that not disclosing the information did arouse suspicion in society. The precarious economic situation of the country causes society to take a critical look at the use of scarce public resources.

29. Government's position that the right to peaceful protest may be restricted – District Commissioner (DC) Ricardo Bhola of Paramaribo North-East has publicly expressed his wish to consult with the collective of the upcoming protest on March 24, 2023. He emphasized the right to freedom of expression and of peaceful demonstration is enshrined in the Constitution of Suriname and that these rights are sacred. However, he continues, the second paragraph of Article 21 states that the exercise of the right to peaceful demonstration may be subject to restrictions by law, in the interest of public order, safety, health and morality. Finally, the DC indicated that he reads in Article 21 paragraph 2 of the Constitution, that it is important to always guarantee public order.⁴⁴ Therewith, justifying the mandatory permit for peaceful demonstrations of Article 49 of the Police Penal Code.

30. Instilling fear of riots and associated liability – On Monday, March 20, 2023, the DC held his requested consultations with representatives of the collective. He told them that they have the right to peaceful protest based on the Constitution, but also the obligation to apply for a permit. The representatives disputed the permit requirement and indicated that they will not apply for a permit. The DC told them that if they do not apply for a permit, it would also be very difficult for him to establish in writing the conditions under which they could proceed their protest. According to the DC, the collective has limited itself by not applying for a permit.

⁴² See Key News, "Defensie schaft traangas aan voor reguliere trainingen en crowd control", <https://keynews.sr/aanschaf-traangas-door-defensie-voor-reguliere-trainingen-en-crowd-control/2023/>

⁴³ See De West, "Boldewijn: Geplande protestactie zal beheerst worden door gebruik van traangas", <https://dagbladdewest.com/2023/03/16/boldewijn-geplande-protestactie-zal-beheerst-woorden-door-gebruik-van-traangas/>

⁴⁴ See Dagblad Suriname, "Dc Bhola wil in gesprek met trekkers protest 24 maart in centrum Paramaribo", <https://www.dbsuriname.com/2023/03/19/dc-bhola-wil-in-gesprek-met-trekkers-protest-24-maart-in-centrum-paramaribo/>



The DC stated that he was not yet able to indicate what measures the police will take with regard to Independence Square, the location communicated by the collective for the protest.⁴⁵

31. Peacefully protest discouragement by consistent instilling fear – Suriname has absolutely no history of violent protests and/or riots and looting. This was publicly confirmed by Haitian entrepreneur Jean "Saya" Mixon, who is also a supporter and sponsor of the VHP, the political party chaired by the president.⁴⁶ Saya did this on March 17, 2023, a day before he had his so-called dialogue pre-talk with the president. Saya said he does not believe that during the protest announced for March 24, 2023, the riots and looting of February 17, 2023, will be repeated. He says that in the thirty years that he has lived in Suriname, nothing like this has ever happened. He suspects that it was just a coincidence where a small group took advantage of the situation on that day. Therefore, he does not think that such a thing will happen again. Nonetheless, a practice can be observed in the current government of consistently shrouding the peaceful protest with fear of excesses of violence. Although the excesses of February 17, 2023, can be characterized as a unique event, they are very deviously used as the departure and arrival point in the government's rhetoric about protests.

32. Failure to fully recognize the right to peaceful demonstration – Strategically, government authorities publicly recognize the right to peaceful protests, but consistently nullify the recognition by warning for public disturbances. The government also consistently does not facilitate and supervise protests but discourage participation by threatening with harsh police action and criminal prosecution. With this approach the government shows that it does not fully recognize the right to peaceful demonstration. Illustrative of this is the public statement issued by the Suriname Police Force (KPS) on March 21, 2023. In response to the consultation DC Bhola and KPS had with the activists of the announced protest of March 24, 2023, the KPS stated to recognize and respect the right of peaceful demonstration. However, the KPS pointed out that for holding, leading or organizing and participating in parades or demonstrations in public, of any nature or purpose, a permit is required in accordance with Article 49 of the Police Penal Code. Entirely contrary to the aim of Article 49 and the accumulated practical experience, the KPS stated that participating in a protest without a permit entail additional risk. It must be noted that the KPS failed to mention the extra risks. That would have enabled citizens to make their own risk analysis. With the reprehensible aim of instilling even more fear and to further discourage citizens from optimally exercise their right to peaceful protest, the KPS strongly advised citizens against participating in the announced protest action of March 24, 2023. The reason for the warning by the KPS is that the situation has completely gotten out of hand on February 17, 2023. The KPS once again emphasized, against the background of large quantities of tear gas and weaponry purchased, and therefore in a threatening context, that the police will take all measures to ensure safety.⁴⁷

STAKEHOLDERS JOINT CLAIM

33. Based on the presented evidence-based overview of the curtailment of the right to peaceful demonstration, the right to free expression and related rights, the stakeholders of this report jointly state with great concern, that:

34. The government systematically violates both the right to freedom of expression and the right to peaceful protest under all kinds of false pretenses.

35. The government purposefully misinterprets and wrongly applies the second paragraph of Article 21 of the Constitution, which states that the exercise of the right to peaceful protest may be subject to rules and restrictions by law in the interests of public order, safety, health and morals.

⁴⁵ See Dagblad Suriname, "*Dc Bhola staat protestactie 24 maart toe, ook zonder dat actieleiders beschikken over vergunning*", <https://www.dbsuriname.com/2023/03/20/dc-bhola-staat-protestactie-24-maart-ook-zonder-dat-actieleiders-beschikken-over-vergunning/>

⁴⁶ See Waterkant nieuws, "*Saya: Ik rij zelf naar president om te praten over problemen, geen bodyguard zal me stoppen*", <https://www.waterkant.net/suriname/2023/03/17/saya-ik-rij-naar-president-om-te-praten-over-problemen-geen-bodyguard-zal-me-stoppen/>

⁴⁷ See Waterkant nieuws, "*Veiligheidsdiensten in verhoogde staat van paraatheid*", <https://www.waterkant.net/suriname/2023/03/21/veiligheidsdiensten-in-verhoogde-staat-van-paraatheid/>



- 36.** By invoking and enforcing the archaic Article 49 of the Police Penal Code, prohibiting holding, leading or organizing and participating in parades or demonstrations in public, of whatever nature or purport, unless the police commissioner concerned and, in a district, the relevant district police Commissioner has granted written permission, the government breaches the international law principle of *pacta sunt servanda* as contained in Article 26 of the Vienna Convention, prescribing that any treaty that has entered into force binds parties and that treaty parties must implement the treaty in good faith, as well as Article 27 of the Vienna Convention that prohibits invoking provisions of domestic law to justify non-implementation of a Convention, in conjunction with the Articles 105 and 106 of the Constitution of Suriname, concerning the binding force of binding provisions on everyone of treaties and the effect of international law in the national law.
- 37.** The government deliberately ignores the procedures prescribed by the OAS-UNDP manual for democratic dialogues and mimics the democratic mechanism of dialogue with the aim of undermining the exercise of the right to peaceful demonstration and to buy itself time until the next elections.
- 38.** In line with what was established by the Office of the Special Rapporteur for Freedom of Expression of the Inter-American Commission in 2019, the government is demonstrably guilty of repression, dispersal, and limitation of the exercise of these rights in the public sphere. And that the government's statements show that this undesirable government behavior stems from the misconception that citizen mobilization is a form of disruption of the public order or, even worse, a threat to the stability of democratic institutions.
- 39.** The government's approach to peaceful demonstrations and freedom of expression is inconsistent with the Inter-American Commission on Human Rights' guidelines on protest and human rights and, as a result, falls short to meet the standards on the rights involved in social protest and the obligations incumbent on the State.
- 40.** The government's use of criminal law as a disincentive to exercise the democratic right of peaceful demonstrations and the right to freedom of expression is contrary to the functioning of a democratic state and the rule of law, but also to the principle of *ultimum remedium* and the subsidiarity principle.

CONCRETE INCIDENTS

- 41.** Below is a presentation of twenty concrete cases of the curtailment of the right to peaceful demonstration and freedom of expression. The list merely illustrates the urgent situation but does not claim to include all cases that have occurred.

INCIDENT I	Rights violation victim: 27-year-old A.V.⁴⁸	
	Freedom of expression	Right to peaceful demonstration
Date	September 13, 2020	
Time	NA	
Accused of	Insult president	
Place of the incident(s)	Online, Facebook	
Name of the perpetrator(s)	State	
Position of the perpetrator(s)	Police	

⁴⁸ See Dagblad Suriname, “*Man (27) aangehouden voor beledigen president Santokhi op social media*”, https://www.dbsuriname.com/2020/09/13/man-27-aangehouden-voor-beledigen-president-santokhi-op-social-media/?utm_source=ReviveOldPost&utm_medium=social&utm_campaign=ReviveOldPost



Administrative sanction	No	
Summoned for police questioning	No	
Arrested	Yes	
Detained	Yes	
Place of detention if applicable	NA	
Names and addresses of any witnesses	Media coverage	
Any other important details	Media coverage	

INCIDENT II	Rights violation victim: 38-year-old Firen Ajaykumar G.⁴⁹	
	Freedom of expression	Right to peaceful demonstration
Date	October 25, 2020	
Time	NA	
Accused of	Threaten and insult president	
Place of the incident(s)	Online, Facebook	
Name of the perpetrator(s)	State	
Position of the perpetrator(s)	Police	
Administrative sanction	No	
Summoned for police questioning	No	
Arrested	Yes	
Detained	Yes	
Place of detention if applicable	NA	
Names and addresses of any witnesses	Media coverage	
Any other important details	Media coverage	

INCIDENT III	Rights violation victim: 53-year-old Rudolf Hasselhoef (Boeroe)⁵⁰	
	Freedom of expression	Right to peaceful demonstration
Date	January 25 – February 1, 2021	
Time	NA	

⁴⁹ See Surinameonline, “*Verdachte aangehouden en opgesloten voor bedreiging President Santokhi*”, <https://surinameonline.net/verdachte-aangehouden-en-opgesloten-voor-bedreiging-president-santokhi/>

⁵⁰ See Waterkant nieuws, “*‘Boeroe’ die Santokhi bedreigde en beledigde in vrijheid gesteld*”, <https://www.waterkant.net/suriname/2021/02/02/boeroe-die-santokhi-bedreigde-en-beledigde-in-vrijheid-gesteld/>



Accused of	Threaten and insult president	
Place of the incident(s)	Online	
Name of the perpetrator(s)	State	
Position of the perpetrator(s)	Police	
Administrative sanction	No	
Summoned for police questioning	No	
Arrested	Yes	
Detained	Yes	
Place of detention if applicable	NA	
Names and addresses of any witnesses	Media coverage	
Any other important details	Media coverage	

INCIDENT IV	Rights violation victim: Sibrano Pique⁵¹	
	Freedom of expression	Right to peaceful demonstration
Date		February 19, 2021
Time		NA
Accused of		Protest without a permit
Place of the incident(s)		Ondrobon, Paramaribo
Name of the perpetrator(s)		State
Position of the perpetrator(s)		Police
Administrative sanction		NA
Summoned for police questioning		NA
Arrested		Yes
Detained		Yes
Place of detention if applicable		Keizerstraat police station
Names and addresses of any witnesses		Media coverage
Any other important details		Media coverage

⁵¹ See Suriname Herald, “*Activist Sibrano Piqué afgevoerd*”, <https://www.srherald.com/suriname/2021/02/19/activist-sibrano-pique-afgevoerd/>



INCIDENT V	Rights violation victim: Rendel Feller⁵²	
	Freedom of expression	Right to peaceful demonstration
Date		April 11, 2021
Time		Around 10:30 AM
Accused of		Protest without a permit
Place of the incident(s)		Old Flag Square / Paramaribo Independence Square
Name of the perpetrator(s)		State
Position of the perpetrator(s)		Police
Administrative sanction		NA
Summoned for police questioning		NA
Arrested		Yes
Detained		Yes
Place of detention if applicable		NA
Names and addresses of any witnesses		Media coverage
Any other important details		Media coverage

INCIDENT VI	Rights violation victim: Rendel Feller⁵³	
	Freedom of expression	Right to peaceful demonstration
Date	August 28, 2021	
Time		
Accused of	Sedition	
Place of the incident(s)	Online a voice message in a private WhatsApp group	
Name of the perpetrator(s)	State	
Position of the perpetrator(s)	Police	
Administrative sanction	NA	
Summoned for police questioning	NA	
Arrested	Yes	

⁵² See Starnieuws, “*Politie grijpt in bij protestactie activist Feller*”, https://www.starnieuws.com/index.php/welcome/index/nieuwsitem/63911?fbclid=IwAR3ySAo0MxauZw_-07OI5pfKtpiWVI2-4VVTa-AxdyDy_Fji33I3V1SfZ0A

⁵³ See Suriname Herald, “*Rendel Feller: Ik ben onterecht aangehouden*”, <https://www.srherald.com/ingezonden/2021/09/08/rendel-feller-ik-ben-onterecht-aangehouden/>



Detained	NA	
Place of detention if applicable	NA	
Names and addresses of any witnesses	Media coverage	
Any other important details	Media coverage	

INCIDENT VII	Rights violation victim: 35-year-old Chanderdew R.⁵⁴	
	Freedom of expression	Right to peaceful demonstration
Date	February 27 – March 4, 2022	
Time	NA	
Accused of	Threaten and insult president	
Place of the incident(s)	Media (Hindi)	
Name of the perpetrator(s)	State	
Position of the perpetrator(s)	Police	
Administrative sanction	No	
Summoned for police questioning	No	
Arrested	Yes	
Detained	Yes	
Place of detention if applicable	NA	
Names and addresses of any witnesses	Media coverage	
Any other important details	Media coverage	

INCIDENT VIII	Rights violation victim: Sibrano Pique⁵⁵	
	Freedom of expression	Right to peaceful demonstration
Date	March 3 – 28, 2022 ⁵⁶	
Time	NA	
Accused of	Threaten and insult president and first lady	
Place of the incident(s)	Online /Facebook	
Name of the perpetrator(s)	State	

⁵⁴ See GFCnieuws, “Nickeriaan ingesloten voor ‘belediging’ president Santokhi in vrijheid gesteld”, <https://www.gfcnieuws.com/nickeriaan-ingesloten-voor-belediging-president-santokhi-in-vrijheid-gesteld/>

⁵⁵ See Suriname Herald, “Pique: Ik heb de president niet beledigd”, <https://www.srherald.com/suriname/2022/03/04/pique-ik-heb-de-president-niet-beledigd/>;

⁵⁶ See GFC-nieuws, “Siebrano Pique op vrije voeten”, <https://www.gfcnieuws.com/siebrano-pique-op-vrije-voeten/>



Position of the perpetrator(s)	Police	
Administrative sanction	NA	
Summoned for police questioning	Yes	
Arrested	Yes	
Detained	Yes	
Place of detention if applicable	Nieuwe Haven police station	
Names and addresses of any witnesses	Media coverage	
Any other important details	Media coverage	

INCIDENT IX	Rights violation victim: Indigenous peoples⁵⁷	
	Freedom of expression	Right to peaceful demonstration
Date	September 12, 2022	September 12, 2022
Time		NA
Accused of	Unacceptable texts on the protest signs	Protesting in relation to the arrival of the Prime Minister of the Netherlands, Mark Rutte
Place of the incident(s)		Vicinity of the international airport
Name of the perpetrator(s)		State
Position of the perpetrator(s)		Police
Administrative sanction		No
Summoned for police questioning		No
Arrested		Yes
Detained		NA
Place of detention if applicable		NA
Names and addresses of any witnesses		Media coverage
Any other important details		Media coverage

INCIDENT X	Rights violation victim: Raoul Hellings⁵⁸	
	Freedom of expression	Right to peaceful demonstration
Date		November 4, 2022

⁵⁷ See Key News, “*Politie Zanderij pakt protesterende Inheemsen aan*”, <https://keynews.sr/politie-zanderij-pakt-protesterende-inheemsen-aan/2022/>

⁵⁸ See Dagblad Suriname, “*Dissidente hoofdinspecteurs Gentle en Hellings ontslagen uit KPS*”, <https://www.dbsuriname.com/2022/11/07/dissidente-hoofdinspecteurs-gentle-en-hellings-ontslagen-uit-kps/>



Time		NA
Accused of		Protesting from July 15 -August 13, 2022, without permits, influencing citizens with speeches to turn them against the government of the country. Attempt to overthrow the legitimate government of the country. Disturbance of the public order and safety. Endangerment of persons, property and state security.
Place of the incident(s)		Independence Square, Paramaribo
Name of the perpetrator(s)		State
Position of the perpetrator(s)		President
Administrative sanction		Yes (Dismissal from state service)
Summoned for police questioning		Yes
Arrested		No
Detained		No
Place of detention if applicable		NA
Names and addresses of any witnesses		Media coverage
Any other important details		Media coverage

INCIDENT XI	Rights violation victim: Sergio Gentle⁵⁹	
	Freedom of expression	Right to peaceful demonstration
Date		November 4, 2022
Time		NA
Accused of		Protesting from July 15 -August 13, 2022, without permits, influencing citizens with speeches to turn them against the government of the country. Attempt to overthrow the legitimate government of the country. Disturbance of the public order and safety. Endangerment of persons, property and state security.
Place of the incident(s)		Independence Square, Paramaribo

⁵⁹ See Dagblad Suriname, “*Dissidente hoofdinspecteurs Gentle en Hellings ontslagen uit KPS*”, <https://www.dbsuriname.com/2022/11/07/dissidente-hoofdinspecteurs-gentle-en-hellings-ontslagen-uit-kps/>



Name of the perpetrator(s)		State
Position of the perpetrator(s)		President
Administrative sanction		Yes (Dismissal from state service)
Summoned for police questioning		Yes
Arrested		No
Detained		No
Place of detention if applicable		NA
Names and addresses of any witnesses		Media coverage
Any other important details		Media coverage

INCIDENT XII	Rights violation victim: Indigenous people⁶⁰	
	Freedom of expression	Right to peaceful demonstration
Date		November 25, 2022
Time		NA
Accused of		Disturbance of public order, peace and safety
Place of the incident(s)		Independence Square and old flag square Paramaribo
Name of the perpetrator(s)		State
Position of the perpetrator(s)		Police
Administrative sanction		No
Summoned for police questioning		Yes
Arrested		NA
Detained		No
Place of detention if applicable		NA
Names and addresses of any witnesses		Media coverage
Any other important details		Media coverage

⁶⁰ See Waterkant nieuws, “*Politie betreurt opstootje met betogers; waarschuwt voor verstoring openbare orde*”, <https://www.waterkant.net/suriname/2022/11/27/politie-betreurt-opstootje-met-betogers-waarschuwt-voor-verstoring-openbare-orde/>



INCIDENT XIII	Rights violation victim: 32-year-old Antoni F⁶¹	
	Freedom of expression	Right to peaceful demonstration
Date	January 3, 2023	
Time	NA	
Accused of	Insult president and first lady	
Place of the incident(s)	Online Tik-Tok	
Name of the perpetrator(s)	State	
Position of the perpetrator(s)	Police	
Administrative sanction	Warning	
Summoned for police questioning	No	
Arrested	Yes	
Detained	No	
Place of detention if applicable	NA	
Names and addresses of any witnesses	Media coverage	
Any other important details	Media coverage	

INCIDENT XIV	Rights violation victim: 59-year-old Patrick K.⁶²	
	Freedom of expression	Right to peaceful demonstration
Date	January 4, 2023	
Time	NA	
Accused of	Insult president and first lady	
Place of the incident(s)	Online, live interview	
Name of the perpetrator(s)	State	
Position of the perpetrator(s)	Police	
Administrative sanction	Fine and warning	
Summoned for police questioning	No	
Arrested	Yes	
Detained	No	
Place of detention if applicable	NA	

⁶¹ See Suriname Herald, “*Waarschuwing en fikse boete voor belediging president Santokhi*”, <https://www.srherald.com/suriname/2023/01/06/waarschuwing-en-fikse-boete-voor-belediging-president-santokhi/>

⁶² See Suriname Herald, “*Waarschuwing en fikse boete voor belediging president Santokhi*”, <https://www.srherald.com/suriname/2023/01/06/waarschuwing-en-fikse-boete-voor-belediging-president-santokhi/>



Names and addresses of any witnesses	Media coverage	
Any other important details	Media coverage	

INCIDENT XV	Rights violation victim: Asween Ramharakh⁶³	
	Freedom of expression	Right to peaceful demonstration
Date		February 17 – March 14, 2023
Time		NA
Accused of		Driving the sound truck into the members of the Mobile Unit (ME) during the protest of February 17, 2023⁶⁴
Place of the incident(s)		Independence Square, Paramaribo
Name of the perpetrator(s)		State
Position of the perpetrator(s)		Police
Administrative sanction		No
Summoned for police questioning		No
Arrested		Yes
Detained		Yes
Place of detention if applicable		Geyersvlijt police station
Names and addresses of any witnesses		Media coverage
Any other important details		Media coverage

INCIDENT XVI	Rights violation victim: Gordon Mac Donald (Makoe)⁶⁵	
	Freedom of expression	Right to peaceful demonstration
Date	January 20, 2023	
Time	NA	
Accused of	Insult president, first lady, ministers, VHP toppers and others	

⁶³ See Suriname Herald, “*Truckchauffeur Pakittow: Het was nooit mijn bedoeling iemand pijn te doen*”, https://www.srherald.com/suriname/2023/03/15/truckchauffeur-pakittow-het-was-nooit-mijn-bedoeling-iemand-pijn-te-doen/?utm_source=rss&utm_medium=rss&utm_campaign=truckchauffeur-pakittow-het-was-nooit-mijn-bedoeling-iemand-pijn-te-doen

⁶⁴ See Sun News, “*Truckbestuurder Pakittow vandaag vrijgelaten*”, https://sun.sr/Details_Meta/23598_-Truckbestuurder-Pakittow-vandaag-vrijgelaten_23598065870307631ashweentr.jpg

⁶⁵ See Waterkant nieuws, “*Makoe’ aangehouden wegens smaad en laster president en anderen*”, <https://www.waterkant.net/suriname/2023/01/20/makoe-aangehouden-wegens-smaad-en-laster-president-en-anderen/>



Place of the incident(s)	Online	
Name of the perpetrator(s)	State	
Position of the perpetrator(s)	Police	
Administrative sanction	NA	
Summoned for police questioning	NA	
Arrested	Yes	
Detained	Yes	
Place of detention if applicable	NA	
Names and addresses of any witnesses	Media coverage	
Any other important details	Media coverage	

INCIDENT XVII	Rights violation victim: Lesley Welzijn⁶⁶	
	Freedom of expression	Right to peaceful demonstration
Date		February 20, 2023
Time		NA
Accused of		Sedition, disturbance of public order, vandalism, arson and looting in the city center on Friday 17 February.
Place of the incident(s)		Independence Square, Paramaribo
Name of the perpetrator(s)		State
Position of the perpetrator(s)		Police
Administrative sanction		No
Summoned for police questioning		No
Arrested		Yes
Detained		Yes
Place of detention if applicable		NA
Names and addresses of any witnesses		Media coverage
Any other important details		Media coverage

⁶⁶ See Waterkant nieuws, “Raoul Abdoelrahman en Lesley Welzijn door RBTP aangehouden”, <https://www.waterkant.net/suriname/2023/02/20/raoul-abdoelrahman-lesley-welzijn-door-rbtp-aangehouden/>



INCIDENT XVIII	Rights violation victim: Raoul Abdoelrahman⁶⁷	
	Freedom of expression	Right to peaceful demonstration
Date		February 20 – 28, 2023
Time		NA
Accused of		Sedition, disturbance of public order, vandalism, arson and looting in the city center on Friday 17 February.
Place of the incident(s)		Independence Square, Paramaribo
Name of the perpetrator(s)		State
Position of the perpetrator(s)		Police
Administrative sanction		No
Summoned for police questioning		No
Arrested		Yes
Detained		Yes
Place of detention if applicable		Santo Boma Prison
Names and addresses of any witnesses		Media coverage
Any other important details		Media coverage

INCIDENT XIX	Rights violation victim: Stephano Biervliet (Pakittow)⁶⁸	
	Freedom of expression	Right to peaceful demonstration
Date		February 19 – 27, 2023
Time		NA
Accused of		Protest on February 17, 2023, thereby disrupting public order or disrupting the economic life of society; complicity in public violence against persons or property; complicity in deliberate arson; complicity in theft by more or two persons united; complicity in destruction or damage to property. ⁶⁹

⁶⁷ See Suriname Herald, “*Activist Abdoelrahman wordt vandaag in vrijheid gesteld*”, https://www.srherald.com/suriname/2023/02/28/activist-abdoelrahman-wordt-vandaag-in-vrijheid-gesteld/?utm_source=rss&utm_medium=rss&utm_campaign=activist-abdoelrahman-wordt-vandaag-in-vrijheid-gesteld

⁶⁸ See De West, “*Pakittow meldt zich en wordt waarschijnlijk voorgeleid*”, <https://dagbladdewest.com/2023/02/21/pakittow-meldt-zich-en-wordt-waarschijnlijk-voorgeleid/>

⁶⁹ See De West, “*Pakittow verweten van geweldpleging, vernieling en beschadiging van goederen*”, <https://dagbladdewest.com/2023/02/21/pakittow-verweten-van-geweldpleging-vernieling-en-beschadiging-van-goederen/>



Place of the incident(s)		Independence Square, Paramaribo
Name of the perpetrator(s)		State
Position of the perpetrator(s)		Police
Administrative sanction		No
Summoned for police questioning		Yes
Arrested		Yes
Detained		Yes
Place of detention if applicable		Police station Geyersvlijt and Santo Boma prison
Names and addresses of any witnesses		Media coverage
Any other important details		Media coverage

INCIDENT XX	Rights violation victim: Curtis Hofwijks⁷⁰	
	Freedom of expression	Right to peaceful demonstration
Date		February 26, 2023
Time		NA
Accused of		Risk of possible future protests without permit
Place of the incident(s)		NA
Name of the perpetrator(s)		State
Position of the perpetrator(s)		Police
Administrative sanction		No
Summoned for police questioning		Yes
Arrested		No
Detained		No
Place of detention if applicable		NA
Names and addresses of any witnesses		Media coverage
Any other important details		Media coverage

⁷⁰ See Key News, “Hofwijks opgeroepen door politie; gesproken over aankomende protestacties”, <https://keynews.sr/hofwijks-opgeroepen-door-politie-gesproken-over-aankomende-protestacties/2023/>



BIOGRAPHY



Milton started his professional career 27 years ago in Suriname. He studied Surinamese law with a focus on international and health law at the Anton de Kom University of Suriname and obtained his doctorate in law in 1999. Milton has been a lawyer in Suriname since 2002. Milton's passion and commitment to the progressive realization of human rights, with an emphasis on the right to health, led him to continue his studies at the University of Toronto, Canada, in 2008. In the Graduate Program 'Sexual and Reproductive Health Law', led by Professor Rebecca Cook, he received a Master of Laws degree in 2009. Aware of the connection between health and the environment, he enrolled in 2019 at Utrecht University in the Netherlands, where he obtained his Master of Laws degree in administrative law with a focus on environmental law in 2020. While attending the University of Toronto, Milton was active in SOGI, a network that provides legal assistance to asylum seekers on the ground of sexual orientation and gender identity. He also joined the Canadian HIV/AIDS-Legal Network, where he analyzed HIV-related Canadian Criminal Court decisions and decisions of the Canadian Drug Treatment Court. For seven years, Milton served as a diplomat, in various capacities, including Acting Chief of Mission, at the Embassy and Mission of the Republic of Suriname in Brussels, Belgium. Aside from the bilateral relations with Belgium, Italy and other EU member states, he had responsibility for multilateral relations with the EU, ACP, CARIFORUM and CELAC. Milton has built up extensive working and publishing experience at the intersection of health and human rights in the American region. He conducted studies for various specialized UN agencies such as UNICEF and PAHO and national and regional agencies such as the Ministry of Health of Suriname, PANCAP and CVC. He has also contributed to several publications, such as the Canadian HIV/AIDS Legal Network publication "Impaired Judgment: Assessing the Appropriateness of the Canadian Drug Treatment Courts as a Response to Drug Use in Canada", the WHO publication "A Manual for National Public Health Law," and the IDLO, WHO, and UNAIDS Kenya chapter of the publication "Scaling Up HIV-Related Legal Services Report of Case Studies: Ukraine, Kenya, and India." He also co-authored the Suriname chapter of the 2010 edition of the encyclopedia "Crime and Punishment Around the World: the Americas". Milton has contributed to the writing and submission of human rights reports, on behalf of the State and CSOs, for among others, the UN-UPR and SDG's reporting cycles. Milton also publishes regularly in the 'Surinaams Juristenblad' (SJB) a legal periodical.



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