



## Ratification Kit

# Suriname

### **Why is it important for Suriname to ratify the United Nations Protocol to abolish the death penalty?**

Suriname abolished the death penalty for all crimes after the Parliament adopted its removal from the new Penal Code in 2015. Nevertheless, **the Military Penal Code still includes the death penalty**. In its report to the Human Rights Council in 2016, Suriname explained that “the implementation of this part of the Military Penal Code is obsolete and will soon be abolished”.

Ratification of the **Second Optional Protocol to the International Covenant on Civil and Political Rights (ICCPR)** is extremely important, both nationally and locally, because it is the only text with worldwide reach aiming to abolish the death penalty.

Ratifying the Protocol is a very symbolic act, reflecting the universal trend towards abolition of capital punishment, considered to be cruel, inhuman, or degrading treatment.

It is essential that the world’s abolitionist countries ratify this Protocol.

### **What are the international commitments already taken by Suriname to ratify the Protocol?**

Suriname has demonstrated its commitment as regards abolition of the death penalty by voting in favor of the **UN General Assembly resolution for a moratorium** on the use of the death penalty in 2014, 2016, 2018 and **2020**. It abstained in 2008, 2010 and 2012, and voted no in 2007.

Suriname participated to the 3<sup>rd</sup> cycle of the **Universal Periodic Review** of the **Human Rights Council** in **2021** and accepted the recommendations to ratify the Second Optional Protocol to the ICCPR. During the adoption of the report in March 2022, it indicated that following the abolition of the death penalty in the Penal Code in 2015 and in the Military Penal Code in 2021, further steps were being taken towards ratification of the Second Optional Protocol to the

International Covenant on Civil and Political Rights. The Human Rights Council would inevitably commend Suriname if it ratified the Protocol before its next review.

In its Concluding Observations in **2015**, the **Human Rights Committee** encouraged Suriname to “consider acceding to the Second Optional Protocol to the ICCPR”.

### **What are the steps to be taken as regards internal law?**

According to Article 7.2 of the Protocol, it “is subject to ratification by any State that has ratified the Covenant or acceded to it.” **Suriname acceded to the International Covenant on Civil and Political Rights in 1976** and it is therefore competent to ratify this Protocol.

Among the obligations incumbent upon Suriname following ratification of the Protocol are the **prohibition of executions** and **withdrawal of the death penalty from internal criminal law**. These two obligations **have already been fulfilled** by Suriname in practice. It may therefore **unreservedly** ratify the Protocol.

The President is competent to negotiate and ratify international agreements provided that the latter are communicated to the National Assembly – no treaty can be ratified nor entry into force without receiving the approval of the National Assembly (Article 103 of the Constitution).

The instrument of ratification must then be deposited with the UN Secretary-General (Article 7.2 of the Protocol).

### **What are the legal obstacles to ratification?**

There is **no legal obstacle** as the death penalty was abolished in the new Criminal Code of Suriname.

We therefore encourage Suriname to ratify this Protocol as soon as possible.

### **How can ratification of the Protocol be implemented?**

The Protocol shall come into force three months after the instruments of ratification have been deposited with the UN Secretary-General (Article 8.2 of the Protocol).

According to Article 3 of the Protocol, Suriname must submit reports to the Human Rights Committee covering the measures it has adopted to give effect to the Protocol.

The World Coalition Against the Death Penalty also encourages Suriname to ratify the **Protocol to the American Convention on Human Rights to abolish the death penalty**.

*For more information, contact the World Coalition Against the Death Penalty and visit its website: <https://worldcoalition.org/campagne/just-one-more-step-ratifying-international-and-regional-protocols/>*