

**STATEMENT BY THE GOVERNMENT OF THE REPUBLIC OF SURINAME  
WITH REGARD TO THE AMENDMENT OF THE AMNESTY LAW OF 1992,  
ADOPTED ON APRIL 4, 2012**

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On September 30, 1987 the people of Suriname approved, by more than 80% majority vote, a new constitution for the Republic of Suriname. This new constitution contains, among others, the following provisions:

- Article 8 paragraph 2: “No one may be discriminated against on the grounds of birth, sex, race, language, religious origin, education, political beliefs, economic position or any other status.”
- Article 55 paragraph 1: “The National Assembly represents the people of the Republic of Suriname and expresses the sovereign will of the nation.”
- Article 70: “The Legislative Power shall be exercised jointly by the National Assembly and the Government.”
- Article 71 paragraph 1: “The National Assembly shall have the power to decide over all proposals of law that will be submitted before it for approval.”
- Article 72 paragraph g: “Without prejudice to what is reserved elsewhere in the constitution for regulation by law, the following subjects shall certainly be determined by law: (g.) The granting of amnesty or pardon”.
- Article 78: “Every member of the National Assembly shall have the right to introduce proposals of law to the National Assembly.”

Based on these provisions, a group of members of the National Assembly took the initiative to introduce a bill aimed at amending the Amnesty Law of 1992, which stipulates that all criminal offenses, as defined by that law, committed in the period from January 1, 1985 through 19 August 1992 will be exempt from prosecution. This law did not cover the complete period from 1980 through 1987, and had no provision whatsoever for the establishment of a Truth Commission, and therefore only partially led to creating conditions to restrain the enormous tensions in our community, and as a result did not achieve complete peace and stability.

After lengthy discussions in the National Assembly the amended law, heeding the principle of equality established in Article 8 of the constitution, aims to end the discriminatory aspects of the 1992 Amnesty Law by expanding the period of amnesty to read from April 1, 1980 through August 19, 1992. It also for the first time calls for the establishment by law of a Commission of Truth and Reconciliation which, since 1998, had already been recommended by the national conference “*Truth and Justice: In Search of Reconciliation in Suriname*”, held with technical assistance of the Inter-American Institute of Human Rights (IHR) and participation of the “*Organisatie voor Gerechtigheid en Vrede*” (OGV) and the government of Suriname.

The granting of amnesty has its own value, merit and meaning. It is therefore not merely a technical juridical question, but above all a matter of social political concern, and thus needs to be implemented together with finding truth and bringing reconciliation. It is imperative, when granting amnesty, to take into consideration sentiments of the society as a whole, in particular of all the groups and individuals immediately involved and impacted. The aim should be to open avenues for achieving complete and lasting reconciliation, harmony and peace in the nation.

The majority of the National Assembly in taking this decision has been guided by experiences and results of other countries that have followed the path of truth finding and reconciliation. Consequently, a particular provision has been added to the amended Amnesty Law of 1992 which calls for the establishment of a Truth and Reconciliation Commission, with the task to report its findings and recommendations after a thorough investigation, taking into consideration all obligations pertaining to relevant international treaties.

The Government of the Republic of Suriname has, in accordance with the constitution, immediately implemented the provisions of the adopted amendment of the Amnesty Law.

Paramaribo, April 9, 2012