

English translation of the declaration from the Association of Indigenous Village Leaders in Suriname (VIDS) regarding the new draft law on Collective Rights:

VIDS - Association of Indigenous Village Leaders in Suriname

DECLARATION On the Amendment Note Submitted for the Draft Law on Collective Rights of Indigenous and Tribal Peoples

With great dismay and indignation, the Association of Indigenous Village Leaders in Suriname, VIDS, has taken note of the Amendment Note on the draft law concerning the collective rights of Indigenous and Tribal peoples, which was submitted by President Santokhi to the National Assembly in June 2021. The newly submitted draft law represents a complete reversal by the same government that purported to recognize the rights of Indigenous and Tribal peoples in 2021. Given a government announcement that the entire cabinet has approved this draft, it can be assumed that all coalition partners stand behind this proposal. All masks are falling, and it is clear that this government simply does not want to recognize our collective rights according to international standards, despite the State of Suriname being legally obliged to do so by, among other things, rulings from the Inter-American Court of Human Rights.

The new draft law should literally be referred to the trash can. Even without having studied it well, it is apparent that:

- The law does not talk about Indigenous peoples but about "Indigenous" (while it does refer to Tribal peoples) – thus also a deliberate disregard of Indigenous peoples as the original peoples of this land;
- Indigenous and Tribal peoples are not recognized as such but instead, a "community" must be established as a legal entity that must register with the Chamber of Commerce;
- Before that can happen, the government must first conduct a scientific study into the traditional living and lifestyle. Are we to understand that the government will judge what our lifestyle is and then decide whether we may qualify for collective rights or not?
- The collective rights themselves are also not recognized (only mentioned) because an application must first be submitted after that community has registered with the Chamber of Commerce, after the scientific study has taken place.
- Land rights are not described as collective property rights as required by International Law, but merely "enjoyment and use" of that area for the benefit of the traditional living and lifestyle.
- Traditional governance is only mentioned per "community" in this new concept, and that must also register with the Chamber of Commerce before that community can make a request to qualify for collective rights.
- Previous rights that existed in that area (such as mining, leasehold, property titles, logging, etc.) continue to exist. They are not extended or renewed, unless "in the general interest," and we all know what "general interest" means in practice.
- According to this new concept, FPIC (Free, Prior and Informed Consent) only means "the way to involve the administration in decision-making regarding economic activities in their living area," and that must be further established by law (which can take years).

There are many more comments to make on this new concept; it is simply worthless; better said, it has value only for those who do not genuinely and according to international standards want to legally recognize and protect the collective rights of Indigenous and Tribal peoples, and who have made it known that they sit in the government or can use their influence there to dare offer such inferior legislative products for approval. It is an insult to the government itself if it calls itself a government that adheres to the principles of a rule of law, good governance, and full membership in the international community.

An appeal is made to the National Assembly to fulfill its role and task as a legislative body with honor and conscience, and in accordance with the legal obligations of the State of Suriname and international standards, and not merely as an extension of the political parties and government that have submitted this new draft law.

February 20, 2025

Association of Indigenous Village Leaders in Suriname
