

IFRC Review of Emergency Decrees: SURINAME**AS AT 5 JUNE 2020****Overview**

Suriname has had 91 confirmed COVID-19 cases, with 9 recoveries and 1 death.¹ The first recorded case was on 15 March 2020 and new cases are still reported on an almost daily basis.

On 9 April 2020, the National Assembly approved the declaration of a national emergency by the President, under Article 72(c) of the Constitution, and passed the Emergency COVID-19 Act.² The Act, which will be valid for three months with a possible single extension of another three months, establishes a *COVID-19 Crisis Management Team* ('CMT'). The CMT is led by the Vice-President and includes the directors of: (1) the National Security Directorate; (2) the Ministry of Justice and Police; (3) the Ministry of National Health; and (4) the National Coordination Centre for Disaster Relief ('NCCR'). Other members of the CMT include the chair of the National Hospitals Council and several specified health professionals.³

The Act empowers the Government to implement various measures and draw upon financial resources to respond to the coronavirus pandemic.⁴ The measures which could be authorised by the Act include:

- (a) designating buildings and plots of land – which are not in used for residential, commercial or social purposes – to be repurposed as quarantine facilities;
- (b) providing guidance or legal restrictions on the freedom of movement and activities of individuals, companies and organisations, as long as such guidance or restrictions are aimed to prevent or minimise the spread of the coronavirus.

If any measures are implemented pursuant to the Act, they will take the form of an executive decision by the President, following written advice or request by the CMT.⁵ The Act requires the National Assembly to establish a Parliamentary Crisis Committee, which will be kept informed regularly by the Government of its response to the national emergency. The Committee will be able to call a meeting of the National Assembly to review the legality of any acts taken by the Government pursuant to the Act.⁶ However, it is not clear how

¹ World Health Organisation, 5 June 2020.

² Wet Uitzonderingstoestand COVID-19.

³ Wet Uitzonderingstoestand COVID-19, Artikel 2(1).

⁴ Wet Uitzonderingstoestand COVID-19, Artikel 4.

⁵ Wet Uitzonderingstoestand COVID-19, Artikel 4(2).

⁶ Wet Uitzonderingstoestand COVID-19, Artikel 3.

measures implemented pursuant to the Act are formally announced and, more relevant for the Review, filed for public review. This has led to the absence of answers to some questions below.

In terms of generic emergency legislation, the Constitution contains no specific provisions regarding disaster management or disaster risk reduction; there are only general provisions related to emergencies. However, there is legislation allocating responsibilities to governmental bodies for responding to disasters. Suriname is administratively divided into 10 districts, each governed by a District Commissioner, who in turn is held accountable by the District Council.

Under Article 47(1)(i) of the Regional Bodies Act 1989 (as amended),⁷ District Commissioners are responsible for responding to disasters and calamities. Moreover, under Article 49 of the 1989 Act, District Commissioners are able, if needed to respond to fires, floods or other disasters or calamities, to confiscate buildings and conscript (physically able) individuals.

The NCCR is a national organ that coordinates all possible threats of several types of disasters. The NCCR is responsible for coordinating logistics, operations, communications, planning and legal matters. The NCCR's mission is to contribute to the development of a more resilient, self-conscious and therefore safer society, in which everybody takes up its responsibility. The NCCR works with selected Ministries who have a designated Disaster Coordinator: these are the Ministry of Defence, the Ministry of Justice and Police, the Ministry of Agriculture, Husbandry and Fishery, and the Ministry of Health. The NCCR does not yet appear to have a legal basis in an act of the National Assembly.⁸

The NCCR is also the coordinating institute for Suriname in the Caribbean Disaster Emergency Management Agency (CDEMA) and is collaborating with this agency in developing its disaster management system. According to the NCCD, each District Commissioner has the responsibility to develop a disaster response plan for their District. All those disaster response plans from the districts should then make up the national disaster response plan for Suriname. Suriname has adapted the Incident Command System (ICS) as its strategy.⁹

The NCCR has established a platform for cooperation with governmental and non-governmental organisations ('NGOs') that are involved in disaster preparedness and mitigation policies in either vulnerable communities or in local companies or organizations. The Suriname Red Cross has been placed under the category of NGOs. Contacts with NGOs is made through different umbrella organizations, including the NGO Network (*NGO Netwerkoverleg Suriname*); the Association of Indigenous Village Leaders (*Vereniging van Inheemse Dorpshoofden in Suriname*); and the Association of Traditional Authorities of the Saamaka tribe (*Vereniging Saamaka Gezagsdragers*).¹⁰

⁷ Wet Regionale Organen.

⁸ NCCD (2016) *Suriname: Country Document on Disaster Risk Reduction*, at pp. 36 – 37.

⁹ *Ibid.*, at pp.35 and 37.

¹⁰ *Ibid.*, at p.38.

The Surinamese Red Cross is formally recognised in a 1983 Government Decree as a voluntary aid society, auxiliary to the public authorities and particularly to the medical services of the armed forces in accordance with the Geneva Conventions for the Protection of War Victims of 12 August 1949, and as the only National Red Cross Society which may carry out its activities in Suriname.¹¹

¹¹ Besluit Rode Kruis van 22 September 1983, Artikel 2(1).

1. Is there co-ordination between state and non-state actors, e.g. through a national emergency response mechanism?

Under the Emergency COVID-19 Act, a COVID-19 Crisis Management Team ('CMT') has been established. The CMT includes the director of the National Coordination Centre for Disaster Relief ('NCCR'). In turn, the NCCR has established a platform to co-operate (and coordinate) with non-state actors.

2. Is there mention of the role of the Red Cross/Red Crescent (RC) [national and/or international] or humanitarian actors? In what areas/sectors? What responsibilities are ascribed to the RC?

There is no explicit reference to the Surinamese Red Cross in the Emergency COVID-19 Act. However, the Surinamese Red Cross has publicized its role in supporting activities of the NCCR, including accompanying repatriated individuals to quarantine; supporting the administration of the NCCR; supporting the telephone helpline of the NCCR; monitoring visits to repatriated individuals; and providing information about COVID-19.

3. Are there exceptions to travel restrictions that will facilitate the movement of RC/humanitarian relief teams and/or aid across borders? What (if any) quarantine requirements or other conditions are attached?

On 14 March 2020, the Government closed the borders of Suriname.¹² When Surinamese nationals are repatriated, they are required to enter into an official quarantine facility for two weeks.¹³ It is not clear whether there are exceptions for RC/humanitarian relief teams.

4. Are there exceptions to quarantines, curfews and other restrictions on movement that allow RC/humanitarian organizations access to vulnerable populations (including for psychosocial or non-medical aid)?

Amongst the measures imposed by the President under the Emergency COVID-19 Act is the imposition of an (evening) curfew. Individuals are only allowed to leave their homes during the curfew if they have been provided with a permit to do so. These permits are intended for "essential workers" and issued by the NCCR only if applicants can demonstrate why they need them.¹⁴ There do not appear to be explicit exceptions for RC/humanitarian organizations for such permits.

5. Have any special legal facilities or exemptions been put in place for the importation of medical aid or other relief items or personnel (International Disaster Response Law)? What (if any) quarantine requirements or other conditions are attached?

Not clear.

¹² Suriname Herald, *Suriname sluit vanaf middernacht grenzen voor reizigers*, 13 March 2020.

¹³ Dagbald Suriname, *Geen thuis-quarantaine voor nieuwe repatrianten*, 28 March 2020.

¹⁴ Suriname Herald, *Slijngard: "Niet eenieder kan pasjes krijgen voor partiële lockdown"*, 31 March 2020.

6. Is the RC (or humanitarian organizations) categorised as 'essential' or 'emergency' services, for the purposes of exemptions to restrictions on business operations and opening hours?

Not clear.

7. What other measures are provided in the emergency decrees (for governmental actors, for communities, for health workers, etc...)?

The Emergency COVID-19 Act empowers the Government to implement various measures and draw upon financial resources to respond to the coronavirus pandemic.¹⁵ The measures which could be authorised by the Act include:

- (c) designating buildings and plots of land – which are not in used for residential, commercial or social purposes – to be repurposed as quarantine facilities;
- (d) providing guidance or legal restrictions on the freedom of movement and activities of individuals, companies and organisations, as long as such guidance or restrictions are aimed to prevent or minimise the spread of the coronavirus.

8. Have restrictions been adopted or put in place that ban the export of protective medical equipment?

Not clear.

9. Is there support available for charities or other not-for-profit organisations in any economic support packages?

Under Article 4(1)(b)(2) of the Emergency COVID-19 Act, the Government can offer financial support to those “specialised institutes and organisations who need them to optimise the containment and response of the COVID-19 pandemic.” However, it is not clear whether any actual funds have been made available to charities or other not-for-profit organisations.

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¹⁵ Wet Uitzonderingstoestand COVID-19, Artikel 4.