2nd September 2011

Excellency,

I write to inform you that in the course of its 79th session, the Committee considered the information on alleged severe encroachment of lands traditionally belonging to Kalina indigenous community of Maho, in the District of Saramaca, by non-indigenous parties, on preliminary basis, under its early warning and urgent action procedure, in light of information submitted by a non-governmental organization.

The Committee is concerned about information according to which a 2,000 metre-long dam by Stichting Moshiro was built within the 65 hectares reserved by the Government to the Maho community, in 1971, and caused flooding of some of the best farm lands in the rain seasons rendering this substantial area unsuitable for most crops. It is also reported that private individuals claiming land titles have appropriated part of lands reserved to the Maho community, including for the extraction of sand and for other mining activities. All those activities and operations allegedly have reduced the area, destroyed farms, and continue to threaten the subsistence of the Maho community which primarily derived from agriculture, hunting and fishing and other uses of natural resources of these lands and forests.

The Committee is also concerned about information on allegations of harassment, intimidation and violence during many years, against members of the Maho community who complain about the taking of their lands and the destruction of their crops. It is reported that despite many claims from the Maho community against all these acts, the State party has not yet intervened.

The Committee notes that the Kalina indigenous peoples of Maho have submitted a petition to the Inter-American Commission of Human Rights on this matter of concern, and that the Inter-Americna Commission of Human Rights has granted precautionary measures, on 27 October 2010.

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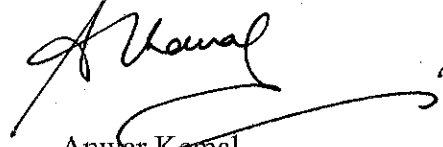New York
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The Committee would like to recall its decisions 3(62) of 3 June 2003, 1(67) of 18 August 2005 and 1(69) of 18 August 2006 (copies attached for ease of reference) adopted under its early warning and urgent action procedures related to the serious violations of the rights of indigenous peoples, the failure to recognize their rights to lands and resources, the refusal to consult them and to seek their prior, free and informed consent when granting mining concessions to foreign companies whose activities would have threatened their livelihood, as well as recommendations made accordingly.

The Committee would also like to recall paragraphs 12, 13 and 14 of its concluding observations (CERD/C/SUR/CO/12) adopted in March 2009, following the consideration of the twelfth periodic report of the State party, and which are of particular relevance to the matter of concern.

In light of the nature of the Committee's ongoing concerns, the Committee, requests the State party to inform on measures taken to comply with the Inter-American Commission's decision on precautionary measures, no later than 31 January 2012. At the same time, the Committee will suspend the consideration of these issues under its early warning and urgent action procedures until a final decision is handed down by the Inter-American Commission of Human Rights.

Allow me, Excellency, to express the wish of the Committee to continue to engage in a constructive dialogue with the Government of Suriname, with a view to provide it with assistance in the effective implementation of the Convention.

Yours sincerely,

Anwar Kemal
Chairperson of the Committee on the Elimination of Racial Discrimination