*Questions and answers about academic freedom and freedom of expression in educational institutions*

1. *How is academic freedom defined and protected in the constitution or laws of your country, and what are possible limitations or restrictions?*

Please provide the original citation and source, as well as a summary of relevant judicial practice, if any.

Academic freedom is laid down in Article 15 (3) of the International Covenant on Economic, Social and Cultural Rights. This treaty was signed by Suriname on December 28, 1976.1 Article 15 of this treaty reads as follows:

 “Article 15

1. The States Parties to the present Covenant recognize the right of everyone:

(a) To take part in cultural life;

(b) To enjoy the benefits of scientific progress and its applications;

(c) To benefit from the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.

2. The steps to be taken by the States Parties to the present Covenant to achieve the full realization of this right shall include those necessary for the conservation, the development and the diffusion of science and culture.

3. The States Parties to the present Covenant undertake to respect the freedom indispensable for scientific research and creative activity.

4. The States Parties to the present Covenant recognize the benefits to be derived from the encouragement and development of international contacts and co-operation in the scientific and cultural fields.”

2 Academic freedom is also laid down in Article 27 (2) of the Universal Declaration of Human Rights . Suriname has been a member of the United Nations since December 4, 1976. Article 27 of this treaty reads as follows:

1. Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.

1. Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.’

http://hrlibrary.umn.edu/research/ratification-suriname.html 2 https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-economic-social-andcultural-rights 3https://www.un.org/en/about-us/universal-declaration-of humanrights.

Academic freedom is a form of freedom of expression that falls under human rights as enshrined in Article 19 of our Constitution. Article 19 of our Constitution reads as follows: “Een ieder heeft het recht om door de drukpers of andere communicatiemiddelen zijn gedachten of gevoelens te openbaren en zijn mening te uiten, behoudens ieders verantwoordelijkheid volgens de wet.”

4 ‘Everyone has the right to freedom of opinion and expression through the printed press or other means of communication, subject to the responsibility of all as set forth in the law.’

5 Freedom of expression and therefore academic freedom can be limited by legal regulations based on Article 19 of the Constitution. Some of these regulations are found in the Criminal Code: Art. 152 -153 (Insult to the head of state), art. 169 -202 (Disturbance of public order), art. 320 - 331 (Insult), art. 332-333 (Breach of secrets)

*2. Are academic staff, teachers, students all entitled to academic freedom? Does this differ by level of education?*

The academic staff and students at the university have academic freedom at all levels.

*3. What do you consider to be (a) the main challenges to academic freedom, and (b) gaps in the legal framework for protecting academic freedom?*

a. In general, not specifically in Suriname, academic freedom is violated by: 1. Creation of legislation that makes research in certain areas impossible; 2. Dismissing, threatening or imprisoning scientists who publish results or make scientific statements that do not fit within a certain political policy. Whether or not for other improper reasons. 3. Labelling scientific arguments as “sedition” or activities dangerous to the state. 4. Not offering scientists with a view other than the established view the opportunity to publish their scientific views in professional journals. b. In Suriname, academic freedom has yet to be explicitly included in the various education laws.

4. *Please explain the autonomy and self-governance enjoyed by educational institutions at the different tiers of education. Please explain what autonomy and self-governance entail. Are there restrictions on police or military personnel entering educational institutions? If so, please share the rules.*

The Anton de Kom University of Suriname (AdeKUS) is currently the only university in Suriname. The university is a legal entity established by law (art. 2 G.B. 1966 no. 78, see appendix. 1) that has an independent administration. The board of the AdeKUS is supervised by the Minister of Education, Culture and Science who is appointing the board members (art. 2 and 3 S.B. 1988 no. 32, see appendix 2). Independent management means that the AdeKUS Board itself determines the policy and has it implemented. Every year the Board must render account for the policy pursued. In the event of bad policy, the Minister of Education has the authority to replace the board members. The wages of the staff are for a great part paid by the government. Article 187 of the Criminal Code7 makes it a punishable offense to unlawfully enter a room intended for public services, such as schools. The subsequent official, being the police or a soldier, who wishes to search the university buildings on the basis of suspicion of a criminal offense is authorized to do this on the basis of Article 140 of the Code of Criminal Procedure8 . He must identify himself in advance and indicate the reason for the search.

*5. Please provide examples of institutional guidelines/codes of conduct developed to ensure respect for academic freedom, including from external public or private actors.*

These are not yet available. A draft revised version of the University Act has already been completed, which includes academic freedom. This law has yet to be adopted by the legislature.

*6. How is funding, including for research, regulated? Is the process transparent, and are there any guarantees put in place to ensure respect for the academic freedom?*

 The regulation on this matter is not yet in place.

*7. Which rules and regulations protect academic freedom from interferences by commercial actors and financial sponsors, at different tiers of education? Please explain how conflicts of interest that may arise are addressed.*

Those rules are not yet in place.

*8. Please explain whether and the extent to which academic staff and students, at all levels of education, are subject to surveillance by public authorities, for example through on-site camera’s or online scrutiny.*

At the AdeKUS we are not subject to surveillance by public authorities.

*9. Do teachers and professors, at all levels of education, enjoy freedom of expression in their own teaching? Are there any limitations imposed, such as remaining “neutral” or forwarding a particular perspective, e.g. on religious and political matters?*

The academic staff are not explicitly told to remain politically correct while teaching. If the police arrests those who express their criticism via social media because what they say is not in accordance with the government's ideas, the teachers will probably apply some self-censorship.

*10. Please explain the extent to which teachers and professors at different education levels can chose school manuals and other books/ resources for teaching, and the reasons for any restrictions in this regard. Have any specific books/materials been banned, including from school libraries, and alternatively is some material mandatory? If so why?*

At the AdeKUS books are not banned nor are some books mandatory.