

**ORDER OF THE PRESIDENT OF THE  
INTERAMERICAN COURT OF HUMAN RIGHTS  
OF DECEMBER 18, 2014**

**CASE OF THE KALIÑA AND LOKONO PEOPLES V. SURINAME**

**HAVING SEEN:**

1. The brief submitting the case and the Report on Merits of the Inter-American Commission on Human Rights (hereinafter "the Inter-American Commission" or "the Commission"), the written brief containing pleadings, motions, and evidence (hereinafter "the brief containing pleadings and motions) of the representatives of the alleged victims (hereinafter "the representatives"), and the answer to the submission of the case and to the brief containing pleadings and motions (hereinafter "the State's answer") of the Republic of Suriname (hereinafter "Suriname" or "the State").
2. The final lists of declarants filed by the State, the representatives and the Commission, and the corresponding observations to said lists.

**CONSIDERING THAT:**

1. The offering and admission of evidence, as well as the summoning of alleged victims, witnesses and expert witnesses is regulated by Articles 35(1)(f), 40(2)(c), 41(1)(c), 46, 47, 48, 49, 50, 57 and 58 of the Rules of Procedure of the Inter-American Court of Human Rights (hereinafter "the Inter-American Court", "the Court" or "the Tribunal" and "Rules of Procedure").
2. Upon submission of the case, the Commission offered as evidence two objects to the expert opinions. Later, it stated that both objects would be discussed by Professor Jeremie Gilbert, "Reader in Law" from the University of East London, School of Law and Social Sciences.<sup>1</sup> In its final list of declarants, the Commission reiterated

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<sup>1</sup> The Commission noted that the objects of the expert opinion are as follows: i) international standards, and relevant comparative law applicable to situations where tension exists between the private property rights of non-indigenous peoples and the collective property rights of indigenous peoples, and ii) international standards and comparative law that are relevant and applicable to situations of real or apparent tension between the rights of indigenous peoples and environmental protection. Regarding the first object of the expert opinion, the expert will provide the Court with a model to analyze restrictions on rights that it takes into consideration and which provide particular effects to property rights of indigenous peoples. The expert, in turn, shall indicate the possible means of compensation that a State has to initiate in response to the result of its restriction of rights analysis model. As such, the expert witness will apply the standards and restrictions analysis model proposed, to the facts of this case. As to the second object of the expert opinion, the expert will offer elements of analysis that allow the Court to establish the scope of the State's obligations regarding design and implementation of initiatives and environmental protection policies.

the proposal, and did not request that questioning be made regarding the statements proposed by the parties.

3. In their brief containing pleadings and motions, the representatives offered three statements from alleged victims<sup>2</sup> and two expert opinions.<sup>3</sup> They also requested the transfer of the expert opinions of Professor Mariska Muskiet and Magda Hoever-Venoaks, rendered in the *Case of the Saramaka People v. Suriname*.<sup>4</sup> Subsequently, in their final list of declarants, the representatives reiterated their proposals for the expert opinions and statements of the alleged victims Captain Ricardo Pané and Captain Jona Gunther, however, did not reiterate the proposal of the statement of Captain Pelata, and they offered two statements that had not been previously mentioned in the brief containing pleadings and motions.<sup>5</sup>

4. In the State's answer, Suriname did not offer testimonial or expert statements. Later, the State submitted its final list of declarants, wherein it proposed the following persons: i) Donovan Bogor, "Officer Environmental monitoring enforcement at NIMOS"; ii) Quon Tjon A Kon, "Senior Field Officer Environmental and Social Assessments at NIMOS"; iii) Farzia Hausil, "Legal Advisor at NIMOS"; iv) Gina Griffith, "Legal Advisor at NIMOS"; v) John Goedschalk, "Executive Director Conservation International Suriname en Senior Adviseur m.b.t. Milieu van de President van de

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<sup>2</sup> Namely: i) Captain Ricardo Pane, who has been the traditional authority of Christiaankondre for over 20 years and was the President of the Association of Leaders of Indigenous Communities of Suriname from 1995 to 2011. His statement will refer to the nature and extent of the traditional territory of the alleged victims, their customary law, their efforts to obtain compensation within the domestic courts, and the impact of the establishment and maintenance of the Wia Wia and Galibi Reserves; ii) Captain Jona Gunther, who is the traditional authority of Erowarte. His statement will refer to the nature and the "allotment" of four of the communities listed as alleged victims, the impact of the Wane Kreek Nature Reserve and the respective mining operations, and the nature and extent of logging operations within the territory of the alleged victims, and iii) Captain Palata, whose statement will refer to the boundaries between the territories of the N'djuka tribal community and the Kaliña and Lokono peoples and the impact of mining operations on the Wane Kreek Nature Reserve.

<sup>3</sup> Namely: i) Dr. Stuart Kirsch, Associate Professor of Anthropology at the University of Michigan. His expert opinion will address the impact of natural resource extraction and other activities on the welfare and culture of the alleged victims and the nature of mining operations on their territory, and ii) Victoria Tauli-Corpuz, UN Special Rapporteur on the Rights of Indigenous Peoples and former Chair of the UN Permanent Forum on Indigenous Issues, whose expert opinion will refer to the international regulations and policy on protected areas and on the conservation and sustainable use of biodiversity in relation to the rights of indigenous peoples, included in the Convention on Biological Diversity, as well as the relation to protected areas established in the territory of the alleged victims.

<sup>4</sup> The representatives requested that the Court transfer the statements rendered by expert witnesses Mariska Muskiet and Magda Hoever-Venoaks, both submitted as *affidavits* in the *Case of Saramaka V. Suriname*. These testimonial statements discussed legislation that regulates that which relates to property in Suriname, the legislation related to extraction of natural resources and access to legal remedies in cases involving the right to property of indigenous and tribal peoples, including extraction of natural resources. Specifically, expert witness Mariska Muskiet rendered an expert opinion regarding real rights in Suriname and regarding domestic remedies in relation to land claims of indigenous and tribal communities; and expert witness Magda Hoever-Venoaks rendered an expert opinion on the legal status of the provisions that provide remedies to parties with the Suriname Mining Act and the Suriname Forest Management Act, as well as other available remedies in the area of constitutional or administrative law of Suriname. According to the representatives, the information contained in these expert opinions is still in force and has been updated, while the legislation has not been changed since submitted to the Court.

<sup>5</sup> Namely: i) Mrs. Loreen Jubitana, who has been Director of the Secretariat of the Association of Leaders of Indigenous Communities of Suriname since 1998. Her statement will refer to the nature and extent of the efforts pursued by Suriname regarding the rights of indigenous peoples over the past 20 years and today, and ii) the Captain Grace Watamaleo, who is the traditional authority of Wan Shi Sha (Marijkedorp). Her statement will refer to the nature and impact of the distribution ("allotment") and granting of title to persons who are not members of the community and surrounding communities, as well as the impact of the Wane Kreek Nature Reserve and the respective mining operations.

Republiek Suriname"; and vi) Claudine Sakimin, "hoofd Natuur Beheer". The Presidency notes that the State did not indicate the nature of the proposed declarants nor the purpose or object of their statements.

5. The representatives and the Commission filed their observations to the final list of declarants. The State, however, did not file observations in this regard.

6. The Presidency considers it appropriate to gather the statements that were filed in a timely manner and that have not been contested in order for the Court to assess their value in a timely fashion, within the context of the entire body of evidence and according to the rules of competent analysis. Therefore, the President admits: 1) the statements of alleged victims Captain Ricardo Pané and Captain Jona Gunther, and 2) the expert opinions of Dr. Stuart Kirsch and Mrs. Victoria Tauli-Corpuz, offered by the representatives.

7. Below, the President will specifically assess: a) the admissibility of the expert evidence offered by the Commission; b) the admissibility of the statements offered by the representatives and the request for transfer of the expert statements; c) the admissibility of the statements offered by the State; d) the form in which the statements and expert opinions shall be received, and e) the final oral and written arguments and observations.

***A. Admissibility of the expert evidence offered by the Commission***

8. The Commission offered the expert opinion of Professor Jeremie Gilbert as evidence (*supra* footnote 1).

9. In regard to the Inter-American public order, the Commission noted that the case demonstrates structural situations that have arisen due to the lack of recognition within domestic law of the right of the indigenous peoples of Suriname to legal personality and collective property rights. Another component of this is the absence of effective judicial remedies for the protection of the rights of indigenous peoples. In this regard, according to the Commission, the structural nature of this situation means that the case may have a significant impact on the recognition and exercise of the rights of indigenous peoples in Suriname, which may transcend beyond the victims of this case. In addition, the Commission stated that, for the first time in its jurisprudence, the Court may determine applicable standards for the creation of nature reserves, when the territories and natural resources of indigenous peoples are affected.

10. The representatives agreed with the Commission's statement regarding the Inter-American public order and requested that the proposed expert be summoned to render an opinion before the Court during the hearing in the case.

11. According to the provisions of Article 35(1)(f) of the Rules of Procedure, the "possible appointment of expert witnesses," can be made by the Inter-American Commission "when the Inter-American public order of human rights is affected in a significant manner," and the basis and object are adequately established. This provision makes the appointment of experts by the Commission an exception, wherein the Inter-American public order of human rights must be affected, and it corresponds

to the Commission to demonstrate the existence of this situation.<sup>6</sup>

12. In this regard, the President confirms that the object of the proposed expert opinion raises issues regarding the Inter-American public order of human rights as it involves matters relevant at a domestic level within Suriname as well as in various parts of the continent, to which a decision thereon may have an impact on other States Parties to the Convention. Moreover, the evidence being offered can help to strengthen the protection of the Inter-American Human Rights System in ways that transcend the interests of the parties to the dispute and the specific facts of this case.

<sup>7</sup> In addition, the Presidency notes that the expert opinion of Professor Gilbert Jeremie was not contested by the parties, thereby considering it admissible.

### ***B. Admissibility of the statements offered by the State***

13. The President noted that the statements by Donovan Bogor, Quan Tjon A Kon, Farzia Hausil, Gina Griffith, John Goedschalk, and Claudine Sakimin were not proposed at the appropriate procedural moment, namely, in the brief containing the State's answer,<sup>8</sup> rather they were first introduced in the final list of declarants. Moreover, the President also verifies that the State did not provide any justification for the time-barred proposal, pursuant to the exceptions established in Article 57(2) of the Rules of Procedure, namely: *force majeure*, serious impediment, or supervening events.<sup>9</sup> In addition, when submitting its final list of declarants, the State failed to indicate the type of statement, be it witness or expert, that was to be rendered by the proposed persons, and failed to indicate the object of these statements.

14. As regards the representatives, they noted that the State did not indicate the object of the statements for any of the declarants, and thus they lack sufficient information to know the topic of focus for each statement. They also noted that proposed declarants Donovan Bogor, Quan Tjon A Kon, Farzia Hausil and Gina Griffith work within the same government agency, which they considered contrary to the principle of procedural economy, unless the State is able to justify that each person can provide useful information for the case that another person could not provide. Regarding the statement of John Goedschalk, the representatives argued that he lacks knowledge about the nature of the reserves established in the territory of the alleged victims and any other matter in this case. As for the statement of Claudine Sakimin, they noted that she may provide useful information for the Court to resolve this case given her position as the person in charge of the agency responsible for nature protection within a Government Ministry, which includes matters involving nature reserves. In addition, they noted that the State failed to indicate the nature of the statements being offered, be it as witness or expert statements, and that all declarants have subordinate relationships with the State.

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<sup>6</sup> Cf. *Case of Vera Vera et al. V. Ecuador*. Order of the President of the Inter-American Court of Human Rights of December 23, 2010, considering clause 9, and *Case of López Lone et al. V. Honduras*. Order of the President of the Inter-American Court of Human Rights of December 10, 2014, considering clause 16.

<sup>7</sup> Cf. *Case of Contreras et al. V. El Salvador*. Order of the President of the Inter-American Court of Human Rights of April 14, 2010, considering clauses 13 and 15, and *Case of Garífuna de Punta Piedra Community V. Honduras*. Order of the President of the Inter-American Court of Human Rights of July 31, 2014, considering clause 11.

<sup>8</sup> Cf. *Case of Quintana Coello et al. V. Ecuador*. Order of the President of the Inter-American Court of Human Rights of December 20, 2012, considering clause 12, and *mutatis mutandi Case of Galindo Cárdenas et al. V. Peru*. Order of the President of the Inter-American Court of Human Rights of November 28, 2014, considering clause 7.

<sup>9</sup> Cf. *Case of the "Rochela Massacre" V. Colombia*. Order of the President of the Court of December 22, 2006, considering clauses 20 to 24, and *Case of The Peasant Community of Santa Bárbara V. Peru*. Order of the President of the Inter-American Court of Human Rights of December 4, 2014, considering clause 21.

15. Moreover, the Commission also stated that the witness list submitted by the State must be rejected as it is time-barred and does not meet the requirements of the Court's Rules of Procedure.

16. However, the President considers it appropriate to recall that the Court has emphasized the usefulness of the statements of the alleged victims and other persons who hold a direct interest in the case insofar as they provide more information on the alleged violations and their consequences.<sup>10</sup> In view of the above mentioned, taking into account that which has been addressed by the representatives regarding the relevance that Claudine Sakimin's statement would have on the analysis of this case, based on the provisions of Article 58(a) of the Rules of Procedure<sup>11</sup>, the President considers it appropriate to admit the statement. According to Article 50(1) of the Rules of Procedure, the President shall determine the object of the statement and how it will be submitted to the Court (*infra* para. 23).

17. Regarding the statements of Donovan Bogor, Quan Tjon A Kon, Farzia Hausil, Gina Griffith, and John Goedschalk, this Presidency considers that it lacks sufficient information to determine the usefulness and necessity of the statements, and, therefore, considers that the new proposal of declarants made by the State is inadmissible.

***C. Admissibility of the statements offered by the representatives and the request for transfer the expert opinions***

18. The President noted that the testimonial statements of Mrs. Loreen Jubitana and Captain Grace Watamaleo (*supra* footnote 5) were not offered at the appropriate procedural moment, namely in the brief containing pleadings and motions submitted by the representatives in this case,<sup>12</sup> rather they were first introduced in the final list of declarants. Also, the President noted that the representatives did not provide any justification for the time-barred proposal (*supra* para. 13). However, the State did not contest them.

19. Notwithstanding the foregoing, the President considers it appropriate to recall that the Court has emphasized the usefulness of the statements of the alleged victims and other persons who hold a direct interest in the case insofar as they provide more information on the alleged violations and their consequences.<sup>13</sup> Moreover, this Court has also emphasized that the alleged victims may shed light upon the Court regarding the scope of the reparations to be assessed.<sup>14</sup>

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<sup>10</sup> Cf. *Case of the "Pueblo Bello Massacre" V. Colombia*. Order of the President of the Inter-American Court of Human Rights of July 29, 2005, considering clause 7, and *Case of The Peasant Community of Santa Bárbara V. Peru*. Order of the President of the Inter-American Court of Human Rights of December 4, 2014, considering clause 18.

<sup>11</sup> Cf. *Case of Galindo Cárdenas et al. V. Peru*. Order of the President of the Inter-American Court of Human Rights of November 28, 2014, considering clause 9.

<sup>12</sup> Cf. *Case of Quintana Coello et al. V. Ecuador*. Order of the President of the Inter-American Court of Human Rights of December 20, 2012, considering clause 12, and *Case of The Peasant Community of Santa Bárbara V. Peru*. Order of the President of the Inter-American Court of Human Rights of December 4, 2014, considering clause 21.

<sup>13</sup> Cf. *Case of de la "Massacre de Pueblo Bello" V. Colombia*. Order of the President of the Inter-American Court of Human Rights of July 29, 2005, considering clause 7, and *Case of The Peasant Community of Santa Bárbara V. Peru*. Order of the President of the Inter-American Court of Human Rights of December 4, 2014, considering clause 18.

<sup>14</sup> Cf. *Case of Suárez Peralta V. Ecuador*. Order of the President of the Inter-American Court of Human Rights of December 20, 2012, considering clause 22, and *Case of The Peasant Community of Santa Bárbara*.

20. Therefore, given that these statements have not been contested, their possible relevance to the analysis of this case, under the same conditions afforded to the State's admitted statement, based on its powers under Article 58 of the Rules of Procedure,<sup>15</sup> the President admits the statements of Mrs. Loreen Jubitana and Captain Grace Watamaleo.

21. Furthermore, regarding the request for transfer of the expert opinions of Professor Mariska Muskiet and Mrs. Magda Hoefer-Venoaks, rendered in the *Case of the Saramaka People V. Suriname*, this Presidency notes that such expert opinions referred to a subject that is closely linked to the merits of the dispute, and that it is not *prima facie* outside the contextual framework of the case. As such, the President considers it pertinent to admit the request for transfer of the expert opinions, to which the State will have the opportunity to file its observations to the content thereof (*infra* operative paragraph 4).

***D. Form in which the statements and expert opinions shall be received***

22. It is necessary to ensure the broadest presentation of facts and arguments by the parties regarding all that is relevant for the resolution of controversial issues, thereby ensuring the parties the right to defend their respective positions as well as the ability to adequately address the cases under consideration by the Court. Moreover, it is necessary that a reasonable time period be established regarding the duration of the proceeding, as required by effective access to justice. Based on the foregoing, the Court must receive the highest number of possible statements and expert opinions rendered by affidavit and, at the public hearing, hear the alleged victims, witnesses, and experts whose direct statements are strictly necessary, taking into consideration the circumstances of the case and the object of the statements and expert opinions.

***D.1. Statements and expert opinions to be rendered by affidavit***

23. Taking into account the provisions of Article 50(1) of the Rules of Procedure, that which was indicated by the Commission and the parties in their final lists of declarants, the object of the proposed statements, and the principle of procedural economy, the President considers it appropriate, for purposes of this case, to receive the statements by affidavit, as appropriate, regarding the following persons: i) the statement of alleged victim Captain Grace Watamaleo, offered by the representatives; ii) the testimonial statements of Mrs. Loreen Jubitana, offered by the representatives, and Mrs. Claudine Sakimin, offered by the State, and iii) the expert opinion of Dr. Stuart Kirsch, offered by the representatives.

24. The President recalls that Article 50(5) of the Court's Rules of Procedure provides for the possibility that alleged victims or their representatives and the State, and in certain situations the Commission, provide a list of questions to be made to

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Order of the President of the Inter-American Court of Human Rights of December 4, 2014, considering clause 18.

<sup>15</sup> Article 58(a) provides the following: "[t]he Court may, at any stage of the proceedings: a. Obtain, on its own motion, any evidence it considers helpful and necessary. In particular, it may hear, as an alleged victim, witness, expert witness, or in any other capacity, any person whose statement, testimony, or opinion it deems to be relevant." *Cf. Case of Galindo Cárdenas et al. V. Peru*. Order of the President of the Inter-American Court of Human Rights of November 28, 2014, considering clause 9.

those persons summoned to render statements by affidavit. Pursuant to the provisions of this Article, the President provides an opportunity for the representatives and the State to file, if they wish, the questions they deem relevant to ask the alleged victim, witness and expert, indicated in the abovementioned paragraph. Upon rendering a statement by affidavit, declarants should answer those questions, unless the President provides otherwise. The deadlines are specified in the operative part of this Order. The abovementioned testimonial statements and expert opinions shall be forwarded to the representatives and the State. In turn, pursuant to Article 50(6) of the Rules of Procedure, the State may submit any observations it deems relevant regarding such statements within the period specified in this Order (*infra* operative paragraph 4).

*D.2. Statements and expert opinions to be received during the public hearing*

25. The orders in this case are ready for the commencement of the oral proceedings on the merits, reparations and costs, to which the President deems it appropriate to summon a public hearing in order to receive the statements of the following persons: i) statements of alleged victims of Captain Ricardo Pané and Captain Jona Gunther, proposed by the representatives; ii) the expert opinion of Mrs. Victoria Tauli-Corpuz, proposed by the representatives, and iii) the expert opinion of Professor Jeremie Gilbert, proposed by the Commission.

***E. Final oral and written arguments and observations***

26. The representatives and the State may file with the Court their final oral arguments on the merits, reparations and costs in this case, at the conclusion of the rendering of the respective statements. As stated in Article 51(8) of the Rules of Procedure, once arguments have been rendered, the Inter-American Commission shall present its final oral observations.

27. According to Article 56 of the Rules of Procedure, the representatives, the State and the Commission may submit written final arguments and written concluding observations, respectively, in relation to the merits, reparations and costs, within the period established in operative paragraph 2 of this Order.

**THEREFORE:**

**THE PRESIDENT OF THE INTER-AMERICAN COURT OF HUMAN RIGHTS,**

Pursuant to Articles 24(1) and 25(2) of the Statute of the Court and Articles 4, 15(1), 26(1), 31(2), 35(1), 40(2), 41(1), 45, 46 to 48, 50 to 56, 58, and 60 of the Rules of Procedure,

**DECIDES TO:**

1. Require, for the reasons established in this Order (*supra* considering clause 23), in accordance with the principle of procedural economy and the authority established in Article 50(1) of the Court's Rules of Procedure, that the following persons render their statements before notary public:

***A. Alleged victim proposed by the representatives***

1. Captain Grace Watamaleo, traditional authority in Wan Shi Sha (Marijkedorp), who will render a statement on: the nature and impact of the

distribution and granting of title to persons who are not members of the territory of their community or neighboring communities, the impact of the Wane Kreek Nature Reserve and the respective mining operations.

### **B. Witnesses**

#### *Proposed by the representatives*

1. Loreen Jubitana, Director of the Secretariat of the Association of Leaders of Indigenous Peoples of Suriname, who will render a statement on: the nature and extent of the intended efforts of Suriname to protect the rights of indigenous peoples over the last 20 years as well as today.

#### *Proposed by the State*

1. Claudine Sakimin, Director of Environmental Protection (“hoofd Natuur Beheer”), who will render a statement on: the establishment of Nature Reserves in Suriname and the issuance of mining concessions in the alleged territory of the Kaliña and Lokono Peoples.

### **C. Expert opinion proposed by the representatives**

1. Dr. Stuart Kirsch, Associate Professor of Anthropology at the University of Michigan, who will render a statement on: the impact of natural resource extraction and other activities on the welfare and culture of the alleged victims, as well as on the nature of mining operations in their territory.
2. Require the State and the representatives to file, upon being deemed appropriate, and under a non-extendable deadline of January 7, 2015, the questions they deem appropriate to ask by way of the Inter-American Court to the alleged victims, the witnesses, and the expert witnesses indicated in the first operative paragraph of this Order. The testimonial statements and the expert opinions required in the first operative paragraph shall be submitted to the Court in English by no later than January 27, 2015.
3. Require the representatives to coordinate and carry out the necessary steps so that once the questions have been received by the opposing party, the alleged victim, the witnesses, and the expert witnesses can include the answers in their statements and expert reports in accordance with Considering clause 24 of this Order.
4. Provide that, upon receipt of the testimonial statements and the expert opinions required in the first operative paragraph, as well as the transfer of expert opinions indicated in Considering clause 23, the Secretariat of the Inter-American Court shall forward these to the State and the representatives in order for them to file their observations pursuant to Considering clause 24, at the latest with their final written arguments or written concluding observations, respectively.
5. Summon the Republic of Suriname, the representatives of the alleged victims, and the Inter-American Commission on Human Rights to a public hearing on the merits, reparations, and costs that will be held during the 107<sup>th</sup> Regular Period of Sessions, at the Headquarters of the Court in San José, Costa Rica, on February 3 and 4, 2015, as well as to receive the statements of the following persons:



### **A. Alleged victims proposed by the representatives**

1. Captain Ricardo Pané, traditional authority of Christiaankondre, who will render a statement on: the nature and extent of the traditional territory of the alleged victims, their customary law, their efforts to obtain compensation in domestic courts, and the impact of the establishment and maintenance of the Wia Wia and Galibi Reserves, and
2. Captain Jona Gunther, traditional authority of Erowarte, who will render a statement on: the nature and impact of the handing over four of the communities listed as alleged victims to nonmembers of the community, the impact of the Wane Kreek Nature Reserve and the respective mining operations, and the nature and extent of logging operations in the territory of the alleged victims.

### **B. Expert witnesses**

#### *Proposed by the representatives*

1. Victoria Tauli-Corpuz, UN Special Rapporteur on the Rights of Indigenous Peoples and former Chair of the UN Permanent Forum on Indigenous Issues, who will render a statement on: international regulations and policy on protected areas and on the conservation and sustainable use of biodiversity in relation to the rights of indigenous peoples, included in the Convention on Biological Diversity, as well as the relation to protected areas established in the territory of the alleged victims.

#### *Proposed by the Inter-American Commission*

1. Professor Jeremie Gilbert, "Reader in Law" at the University of East London, School of Law and Social Sciences, who will render a statement on: a) international standards and comparative law applicable in situations where tension exists between the private property rights of non-indigenous peoples and the collective property rights of indigenous peoples, as well as situations of actual or apparent tension between the rights of indigenous peoples and environmental protection, offering elements of analysis as to the scope of the State's obligations regarding design and implementation of initiatives and environmental protection policies; b) the application of a model to analyze restrictions on rights that it takes into consideration and which provide particular effects to the property rights of indigenous peoples, c) the possible means of compensation that a State has to initiate in response to the result of its restriction of rights analysis model. As such, the expert witness will apply the standards and restrictions analysis model proposed, to the facts of this case.
6. Require the State to facilitate the exit and entry of the declarants from its borders, if they reside or are within the country, for those summoned in this Order to render statements at the public hearing, pursuant to Article 26(1) of the Rules of Procedure of the Court.
7. Require the Inter-American Commission, the State, and the representatives to provide notice of this Order to those persons proposed by them and who have been

summoned to render statements, pursuant to that established in Articles 50(2) and 50(4) of the Rules of Procedure.

8. Inform the Inter-American Commission, the State, and the representatives that they must cover the costs incurred in the production of the evidence proposed by them, pursuant to that established in Article 60 of the Rules of Procedure.

9. Require the Inter-American Commission, the State, and the representatives to inform the persons summoned by the Court to render a statement that, pursuant to Article 54 of the Rules of Procedure, the Court will inform the State of the cases in which a person summoned to appear or render a statement fails to appear or refuses to render a statement without legitimate cause, or when, in the opinion of the Court, has violated an oath or solemn declaration, so that appropriate action may be taken under the relevant domestic legislation.

10. Inform the representatives, the State, and the Inter-American Commission that, upon the rendering of the statements in the public hearing, they may present their final oral arguments and final oral observations, respectively, on the merits and possible reparations and costs in this case.

11. Order the Secretariat of the Court, pursuant to that provided in Article 55(3) of the Rules of Procedure, to provide the Inter-American Commission, the representatives, and the State with a link to the recording of the public hearing on the merits and possible reparations and costs, as soon as possible, after the mentioned hearing is held.

12. Inform the representatives, the State, and the Inter-American Commission that they have a period until March 5, 2015, to present their written final arguments and written concluding observations in the English, respectively, in relation to the merits and possible reparations and costs in this case. This period is non-extendable and independent of the provision regarding the recording of the public hearing provided to the parties.

13. Order the Secretariat of the Inter-American Court to provide legal notice of this Order to the Inter-American Commission, the representatives of the alleged victims, the Republic of Suriname.

Humberto A. Sierra Porto  
President

Pablo Saavedra Alessandri  
Secretary

So ordered,

Humberto A. Sierra Porto  
President

Pablo Saavedra Alessandri  
Secretary