



Permanent Mission of Suriname to the United Nations
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New York, 23 February 2012

Chair-Rapporteur,

I have the honour to your letter dated 8 December 2011 regarding the request made to Member States to provide information on best practices for the elimination of discrimination against women in law and practice.

In this regard I would like to submit relevant information received from the Ministry of Internal Affairs, National Bureau for Gender policy.

Please accept, Madam, the assurances of my highest consideration.

A handwritten signature in black ink, appearing to be "H. L. Mac Donald", written over a star-shaped graphic.

H.E. Henry L. Mac Donald
Ambassador/Permanent Representative

Ms. Kamala Chandrakirana
Chair-Rapporteur
Working Group on the issue of discrimination
against women in law and in practice
Geneva

*Information regarding discrimination against women in law and practice
Ministerie van Binnenlandse Zaken, Nationaal Bureau Genderbeleid
07 februari 2012*

Information regarding discrimination against women in law and in practice

Introduction political situation of Suriname

In 1667 Suriname became a colony of the Kingdom of the Netherlands and on November 25, 1975 Suriname gained independence.

On February 25, 1980, a military coup d'état took place, and the military retained power until 1987. After the May 1987 general elections, a civilian government once took power until a second military coup occurred on December 24, 1990. General elections were held in May 1991, 1996, 2000, 2005, and lastly in 2010.

The current constitution was drafted during the military period and adopted by referendum in 1987. The constitution has been amended in 1992.

According to the constitution, Suriname is a democratic state based on the principle of sovereignty of the people and respect for and guarantees of fundamental rights and freedoms.

Constitutional and other legislative initiatives and reforms put in place to promote women's rights and gender equality, including through the revision and repeal of discriminatory provisions in legislation

Decree

- By decree C – 11 (SB 1981, No. 23), the legal incapacity of married women has been abolished and therefore the matrimonial goods law (title 5, 6, 7) included in the Surinam Civil law has been amended. This means that married women can perform certain legal acts on their own, without permission or assistance from their husbands. This decree is based on the principle of equality of all citizens, irrespective of sex.

Constitution (adopted in 1987 and amended in 1992)

- Article 8 Paragraph 2 of the Constitution: "No one shall be discriminated on grounds of birth, sex, race, language, religion, origin, education, political opinion, economic position or social circumstances, or any other status".
- The principle of equality of men and women is also incorporated in the Constitution: "men and women are equal by law". Gender discrimination is prohibited in the national legislation, while Article 35 Paragraph 2 of the Constitution explicitly lays down equality of men and women.

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- According to article 53 of the Constitution, every citizen has the right to participate in decision-making bodies in the form of political parties.
- Article 39.1 of the Constitution states that every citizen has the right to education.

Penal Code

- Discrimination is also defined in Article 126 of the Penal Code.
- The revision of the moral law (the law on sexual crimes), which is included in the Penal Code has been approved in July 2009 by the Parliament and published in SB 2009 No. 122. The moral law has been revised according to the conventions on the rights of children including the protocols regarding trafficking in children, prostitution and child pornography, United Nations Convention against Transnational Organized Crime including protocols regarding the prevention, elimination and punishment of trafficking in persons in particular women and children and the convention on cyber-crime.

Particular to mention is that rape within marriage and rape of both sexes is punishable through the amendment (article 295 of the Penal Code).

- Provision regarding trafficking in women and male minors has been amended (included in the Penal Code). Through the amendment both sexes are protected against trafficking and the amendment has become effective as per April 2006 (SB 2006 No. 42). This law has been amended according to the UN Convention against transnational organized crime, the Protocol to prevent, suppress, and punish trafficking in persons, especially women and children and the protocol against the smuggling of migrants by land, sea, and air.

Special legislation

- The law on domestic violence, drafted by the Women Rights Centre (a women's NGO), has been approved in June 2009, by the parliament. This law has been published in SB 2009 No.84. This law aims to protect victims of domestic violence in an early stage and through a fast procedure. The protection takes place by enforcing protection orders.

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Draft law

- The law on stalking (draft) has been presented by the government to the Parliament for approval.
- The draft law on the Prevention of Sexual Harassment in the workplace which was formulated by the Commission on Gender Legislation of the Ministry of Home Affairs was broadly discussed for the first time in January 2010 in a workshop "Legislation in the national approach of sexual harassment". This workshop was organized on initiative of the Stichting Ilse Henar Hewitt Juridische Bijstand (Foundation Ilse Henar Hewitt Legal Aid Bureau for Women) in cooperation with the Ministry of Home Affairs. The purpose of the workshop was to exchange ideas and to make recommendations. The second draft, in which the comments of the workshop of January 2010 were included, was discussed in a national congress which was organized in March 2011 by the Stichting Ilse Henar Hewitt Juridische Bijstand (Foundation Ilse Henar Hewitt Legal Aid Bureau for Women). Currently the draft law is being studied by the Ministry of Labour. The draft law has also been presented as information on the 19th of October 2011 by the Foundation Ilse Henar to the National Parliament.

Strengthening the framework of state institutions, machineries and mechanisms to implement actions in order to eliminate all forms of discrimination and violence against women

The following institutions have in this regard been installed:

1. A national institution for the promotion and protection of fundamental human rights and obligations in general was founded by Decree A-18 of January 10, 1985 (SB 1985, No.1). This institute has an advisory role and has the authority to investigate complaints with regard to violations of human rights. Anyone who considers him/herself a victim of a violation of fundamental rights and freedoms may submit claims. Decision of the national institute can be appealed with the court of Justice. However the institute has not functioned since 1995.
2. The law does not provide for a special institution for women, which provides protection in case of discrimination on the basis of gender.
3. The National Bureau for Gender Policy (NBG) was established as a department of the Ministry of Home Affairs in 1997, and was opened in 1998. This institute was given the task to promote and monitor gender equality in Suriname.
The National Gender Policy of Suriname has been formulated in the Integrated Gender Action Plan (IGAP). This plan was formulated for the first time in the year 2000 for a period of five years, while in 2006 a revised Integrated Gender Action Plan was formulated for 2006-2010. This took place in collaboration with stakeholders

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(governmental/non-governmental), with the principal aim to achieve the Millennium Development Goals and the Beijing Platform for Action. Preparations are being made for a policy plan for the period 2011 – 2015.

4. The Bureau for Women and Child policy was established in March 2008. This bureau is part of the Ministry of Justice and Police and has the task to coordinate youth, moral and gender policy within the ministry of Justice and Police.
5. In June 2007, the Ministry of Home Affairs installed the Committee on Gender Legislation. The committee existed till July 2010 (including extensions). This Committee consisted of various departmental representatives and non-state actors, including representatives of the University of Suriname and women's organizations. One of the tasks of the committee was to adjust national legislation that is in contradiction with the principle of several conventions (gender issues) and to present concrete legislative amendments to the government. Such a committee was also installed in 2001.
6. On May 5, 2008 a cooperation covenant entitled "approach to combat violence against women" was signed by the ministers of Justice & Police, Home Affairs, Education, Regional Development, Health and Social Affairs & Housing. For the execution of this covenant the Ministry of Justice and Police installed the Steering Committee "Domestic Violence". The steering committee existed formally till January 2011 (including extensions). The steering group consisted of representatives of the six ministries. The main task of the steering committee was to prepare policy proposals for combating violence against women.
7. Two bureaus for aid to victims of violence have been set up in the district of Nickerie and in the capital Paramaribo. The target group is victims or witnesses of violence and suicidal individuals.

Improving women's political participation, on equal terms with men, in transitional and post – transitional process at all levels of decision-making, including through the adoption of temporary special measures

1. Pursuant to article 52, paragraph 2 of the constitution, women in Suriname are entitled to vote and stand for election, as Suriname's general elections are open to men and women. In 1948, general suffrage for men and women was introduced in Suriname, for which the voting age was fixed at 25 years. In 1987 the voting age was lowered to 18 years.
2. Pursuant to article 52, paragraph 2 and article 53 of the constitution, women as well as men can participate in the general, free and secret elections for the bodies of popular presentation. Suriname has three bodies of popular representation, namely the National Assembly, the district councils, and the local councils.

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3. Legislation was adopted in 2005 regarding the indication of the maiden name of the female candidate on the ballots and females on the voters list. Women who wish that their husband's or deceased husband's name also appear on the ballots or voters list, have to submit a request. These new regulations have been applied for the first time in the 2010 general elections. The situation prior to this amendment was that a married woman who is a candidate or voter must be mentioned on the list under her husband's or deceased husband's name.

4. To promote the full participation of women in public office and in political representative bodies, the Ministry of Home Affairs organized an open discussion for the introduction of a quota policy in Suriname, on February 23th of 2010 entitled: Quotum Policy and Promoting the Participation of Women in Politics. In august 2010, the 'Stichting Ilse Henar Hewit, Juridische Bijstand voor Vrouwen' organized a follow up workshop in collaboration with the 'Vrouwen Parlement Forum', the Democracy Unit of the ADEK University and the Ministry of Home Affairs. Parties have decided to draft a law on quota policy.

Increasing women's access to justice, including transitional justice mechanism

- Women can file cases at any police station in the country. Since 1997 special rooms for victims are setup within several police stations.

- Two bureaus for aid to victims of violence have been set up in the district of Nickerie and in the capital Paramaribo. The target group is victims or witnesses of violence and suicidal individuals.

- The Bureau Legal Aid of the Ministry of Justice and Police provides free legal services.