

**UNIVERSAL PERIODIC REVIEW – HUMAN RIGHTS COUNCIL
UN SURINAME**

I. Introduction

This report was drafted jointly by the UNCT in Suriname¹. The UN is Delivering as One in Suriname with four resident UN agencies in the country (UNDP, PAHO, UNFPA and UNICEF). Due to space constraints, this report is not exhaustive but rather highlights the key issues that are being addressed by the UNCT in the country.

**II. Background and Framework
A. Scope of International Obligations**

1. Suriname ratified the International Covenant on Economic, Social and Cultural Rights in December 1976.
2. Suriname ratified the International Covenant on Civil and Political Rights and its Optional Protocol in December 1976.
3. Suriname ratified the Convention on the Rights of the Child (CRC) in March 1993 without reservations. The two optional protocols have been signed but not yet ratified.
4. Suriname acceded to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in March 1993.
5. Suriname has not ratified the ILO Convention No 138 Concerning Minimum Age for Admission to Employment.
6. Suriname has signed but not ratified the Convention on the Rights of Persons with Disabilities has been signed by Suriname in March 2007. Its Optional Protocol has been neither signed nor ratified.
7. Suriname ratified the Convention on the Elimination of All Forms of Racial Discrimination (CERD) in 1984.

B. Constitutional and legislative framework

8. The Constitution of Suriname recognizes most of the rights contained in the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights.
9. The Convention on the Rights of the Child (CRC) and its incorporation into national legislation in Suriname is reflected in *Annex 1*.
10. In 2009, the Raamwet Opvang, a key legislation package for child care has been drafted but not yet signed into law by parliament.

C. Institutional and human rights structure

11. The Ministry of Justice and Police is primarily responsible for screening legislation drafted by the other Ministries. The legislation is sent to the Parliament of Suriname via the Ministry of Justice. The Parliament approves legislation.
12. The Ministry of Justice and Police hosts a Youth and Child Protection unit and a recently established Bureau for Women and Child Policy.

13. The Ministry of Social Affairs and Housing hosts a Child Rights Bureau responsible for reporting to the CRC committee.

14. The Ministry of Youth and Sport was established after the parliamentary elections in 2010 and is in the process of defining its mandate at the time of writing. It may become the coordinating ministry for the fulfilment of children's rights.

D. Policy measures

15. As a result of the recommendation made in the last report to the CRC Committee, the Government of Suriname has designed a National Action Plan for Children (2009-2013). The Action Plan outlines responsibilities for each line ministry with respect to the implementation of the CRC. Implementation of the plan by the ministries had started. Monitoring mechanism needs to be established.

16. The Government has developed a National Gender Action Plan 2006-2011. The key challenge is to strengthen the capacity of the Gender Bureau and improve networking with other organisations working in the area of gender, in particular the recently established Bureau for Women and Child Policy of the Ministry of Justice and Police.

17. The Penal Code is currently under revision to increase the minimum age of criminal responsibility to 12, and awaiting approval of the State Council.

18. The national youth policy is in draft at the time of writing. The Ministry of Sport and Youth working with six key line ministries to develop and produce final draft of this key policy.

III. Promotion and protection of human rights on the ground

A. Cooperation with international human rights mechanisms

19. Suriname submitted the following reports to human rights monitoring mechanisms:
- Reports to CRC committee (1st report in 2000, 2nd in 2005, 3rd and 4th combined periodic report due in March 2010 and pending in December 2010)
 - Reports to CEDAW committee (combined 1st and 2nd periodic report in 2002, 3rd report in 2007)
 - Report by the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people (2009)
 - 12th Periodic report to the Committee on the Elimination of All Forms of Racial Discrimination (CERD) in 2007
 - Report regarding the International Covenant on Civil and Political Rights is pending since 2008
 - Last report regarding International Covenant on Economic, Social and Cultural Rights was submitted in 1994

IV. Implementation of international human rights obligations

1. Equality and non-discrimination

20. The Constitution prohibits discrimination based on race and ethnicity. Despite this, in practice various groups, such as Maroons and indigenous peoples suffered certain forms of discrimination.

21. National averages mask sometimes severe disparities between children living in the urban and rural areas of the country, between boys and girls, between the wealthier and poorer populations and between children belonging to different ethnic or religious groups. In Suriname, the disparities are most significant between those living in the rural interior and those living in the urban and coastal areas¹.

22. While Suriname is on track nationally to meet MDG 2 on Achieving Universal Primary Education, there are significant geographical, gender and socio-economic disparities, with particular concern for boys and girls in the interior where progress is well below target. The primary school completion rate for boys is 39.1% and for girls 53%, while the secondary net enrolment rate is 44% for boys and 54% for girls.² This national trend is not observed in the interior. Disparities persist also within the interior – the interior district of Sipaliwini has a net secondary enrolment rate of just 3%³. An assessment of these disparities indicates issues in relation to access to and availability of quality education (at all levels), children repeating years, and drop outs and retention rates.

2. Right to life, liberty and security of the person

23. The death penalty is still a part of Suriname's Penal Code, though it has not been implemented for the past twenty years.

24. The Government has made laudable efforts to gather data on gender based violence although information and research on the issue remain scarce and passed an important law on curbing domestic violence in 2009.⁴ There are also two Victim Care bureaux, one in Paramaribo and one in Nickerie. A safe house for women who have been abused was opened in Paramaribo in 2010.

25. Reliable data on child abuse and sexual violence against children is lacking, although recent data from the Ministry of Justice and Police shows alarming numbers of minors being victims and perpetrators of sexual violence. Children can also be subjected to psychological or physical punishment at school. While hard data is lacking, based on reports to the school inspectorate, children are subjected to corporal punishment and psychological ill treatment in schools⁵.

26. Children in institutional care are also at risk of violence, exploitation, abuse, and neglect, including children with disabilities. Data is likewise currently lacking. Out of the total of 1,276 children known to be currently in child care institutions, 264 are known to have been abused or neglected, this being the reason for their placement in care⁶. The government is in the

¹ Situation Assessment and Analysis of Children's Rights in Suriname, UNICEF, 2010.

² Yearbook Indicators 2008-2009, p.38, Ministry of Education, 2010

³ Yearbook Indicators 2008-2009, p.38, Ministry of Education, 2010

⁴ The Domestic Violence Act, published in the Staatsblad nr. 84, 20 June 2009.

⁵ Situation Assessment and Analysis of Children's Rights in Suriname, UNICEF, 2010.

⁶ Ministry of Social Affairs and Housing, e mail communication to UNICEF, 19 October 2010.

process of preparing to establish a post of an independent ombudsman for children as well as a monitoring and tracking system for children in institutional care.

3. Administration of justice and the rule of law

27. In terms of prison conditions, Human Rights NGOs in Suriname consider the prison conditions to be poor. There are three prisons, where female and male prisoners are held separately. There have been complaints from NGOs and prisoners that the facilities are unsanitary and overcrowded.

28. The Government of Suriname has made significant changes as part of its judicial reforms in the criminal and civil justice system to ensure that all citizens have access to justice in a timely and efficient manner. These changes include reducing the detention period and the recruitment of more judges and other judicial reforms. However the ability of citizens to access justice is compromised by the exorbitant legal costs of securing a lawyer which are beyond the reach of a significant number of citizens. The Government provides legal aid through provision of lawyers whose fees are paid for by the Government. Lawyers are expected to do a number of mandatory social cases per year. However the availability of lawyers is compromised by the low legal fees paid to the lawyers, and therefore the pool of lawyers available is limited⁷.

29. Suriname has obtained a reputation for its efforts to meet international standards of care for all children who come into contact with the justice system and to ensure their rights are met. Even when practice does not always meet those standards throughout the country, the vision and the determination of the Government to work towards achieving these standards are to be lauded. Child-friendly procedures have been developed for dealing with children whether suspected or accused of committing an offence, or as a witness or victim of an offence⁸.

30. Suriname has provided for children who have been in conflict with the law to receive counselling and follow-up guidance and support, involving their families, where appropriate and possible, but this is not always available for re-offenders. Some staff told us that they would welcome detailed research in this area to guide future improvements in the treatment of children who have been involved in crime. Regional disparities with regard to children in conflict with the law are also apparent. Children's juvenile detention centres, at Opa Doelie and within the adult prison at Santa Boma, are located in the capital Paramaribo and there are no alternative facilities elsewhere in the country. On average, there are about 40-50 children in Opa Doelie at a given time, almost all boys. Trials of children are conducted within Opa Doelie⁹.

31. The Ministry of Justice and Police has been recording statistics on children coming into contact with the law, notably on child offenders, since at least 2000. In 2000, a total of 207 boys and 25 girls under the age of 18 were held in pre-trial detention; in 2005 273 boys and 29 girls; and in 2009, 316 boys and 19 girls. Theft is the most common reason for arrest with molestation and assault in second and third place. A notable increase in the number of Creole and Maroon children arrested between 2008 and 2009 was noted¹⁰.

⁷ Situation Assessment and Analysis of Children's Rights in Suriname, UNICEF, 2010.

⁸ Situation Assessment and Analysis of Children's Rights in Suriname, UNICEF, 2010.

⁹ Situation Assessment and Analysis of Children's Rights in Suriname, UNICEF, 2010.

¹⁰ Ministry of Justice and Police, 2010.

32. Children are not always separated from adults in detention, partly due to limited facilities. Girls between the ages of 10 and 18, in contrast, who have received a custodial sentence and who do not remain at Opa Doelie, are placed in the women's wing along with other convicted women in the Santa Boma adult prison. Santa Boma has a boy's wing which accommodates boys convicted before they turn 18. If their sentence extends beyond that age, they remain in the boys' wing until age 21¹¹. While theoretically they would then be transferred to the adult section, in practice staff report that they did not receive such cases. Boys from the age of 16 who have been convicted of very serious offences, for example murder, are generally placed directly in the adult wing. Boys in the boys' wing are not supposed to mix with adult offenders but reports indicate that there is some contact. The government is currently constructing a separate child and youth prison that is due to open in 2011¹².

4. Right to work and to just and favourable conditions of work

33. In terms of child labour, about 6% of children aged five to 14 are involved in child labour activities (6.5% boys and 5.4% girls)¹³. Differences between urban, rural coastal and rural interior areas are considerable, with 3.0, 6.5 and 17.8% respectively. As can be expected, child labour in the poorest households is more prevalent at 12.8%. Of the 94.0% of the children five to 14 years of age attending school, 5.6% are also involved in child labour activities (17.8% in rural interior areas). On the other hand, out of the 6% of the children classified as child labourers, the majority of them are also attending school (87.7% nationwide; 77.5% in rural interior areas)¹⁴. The national age limit of 14 for child labour is not in line with the Convention on the Rights of the Child. Further, Suriname has not yet ratified ILO convention No 138 concerning minimum age for admission to employment.

5. Right to social security and to an adequate standard of living

34. Adult HIV prevalence in Suriname is estimated at 1% of the population aged 15-49 by the Ministry of Health in 2008, unchanged from the 2006 and 2007 estimates. Young people aged 25-29 were the age group with highest number of new HIV infections in 2008, and girls and young women were disproportionately affected, which may be partly due to the mandatory HIV testing as part of antenatal care package¹⁵. The 2010 UNGASS report shows a fall in the percentage of young people aged 15-24 living with HIV from 1.0% in 2006 to 0.9% in 2008 as well as an increase in the percentage of HIV-positive pregnant women receiving ARVs for PMTCT from 64% in 2006 to 83% in 2008¹⁶. The HIV/STI Surveillance report for 2004-2008 indicates that children born to HIV-positive mothers were at times lost in the PMTCT follow-up due to lack of coordination between several registration databases¹⁷. HIV prevention is not incorporated into the national education curriculum¹⁸.

¹¹ Situation Assessment and Analysis of Children's Rights in Suriname, UNICEF, 2010.

¹² Situation Assessment and Analysis of Children's Rights in Suriname, UNICEF, 2010.

¹³ UNICEF, Multiple Indicator Cluster Survey, 2006, p59

¹⁴ UNICEF, Multiple Indicator Cluster Survey, 2006, p59

¹⁵ HIV/STI Surveillance Report 2004-2008, p.34, Ministry of Health, 2010.

¹⁶ UNGASS Report Suriname, 2010.

¹⁷ HIV/STI Surveillance Report 2004-2008, p.34, Ministry of Health, 2010.

¹⁸ HIV/STI Surveillance Report 2004-2008, Ministry of Health, 2010.

6. Right to education and to participate in the cultural life of the community

35. Although state schools do not charge fees, other costs such as for school uniform might amount to SRD 10-30 and might prove prohibitive for the poorest families. School fees in private schools, sometimes the only schools available in the interior, might amount to SRD 90-150 and similarly may be beyond the reach of families. Parents of primary school pupils in East Suriname District has revealed that 48% indicate that they have difficulty covering the cost of school fees and 14,7% report that the level of school fees could be a reason for not sending their children to school.¹⁹

36. All tuition throughout the education system is intended to be entirely in Dutch. For many children, who only speak local languages at home, Dutch remains mainly a foreign language in their community, including for some of their teachers. For example, in the East Suriname district only 5.4% of the children attending primary school speak Dutch at home²⁰. This makes it difficult for children to reach a standard that allows them to comfortably work or sit exams in the language. This presents a problem when all school textbooks are only available in Dutch or should they go on to secondary school where Dutch is the norm. It also severely limits their employment opportunities. This is one of the main reasons cited for high repetition rates and low primary school completion rates, especially in the interior.

37. Teachers in state and in private schools have a duty to ensure that children receive the best education they are capable of giving them. While many are clearly highly motivated and hard working, there are others who are not. Salaries are not especially attractive. The inspection system is weak and monitoring is patchy and somewhat ineffective. Some teachers also lack the training, including in-service training, they require to ensure high quality teaching. Thirty percent of teachers in the interior are not qualified to teach²¹. In state primary schools in the interior 5% of the teachers have not completed primary education themselves. In certain areas the situation is dramatically worse: 91% of teachers in Kwamalasamutu and 89% of teachers in Tepu have not completed their primary education²². In state primary schools in the interior, 13% of teachers have not completed secondary education and 34% are only qualified to teach in the interior²³. These teachers are not qualified or entitled to teach in the city where only teachers with a more professional training can teach. This raises clear distinctions of quality of teaching between the interior and the city and issues of inequity in terms of meeting the rights of children in interior. In public schools in the interior, only 44% of teachers are only qualified to teach up to grade 1²⁴.

38. Except for one secondary school in Brokopondo (interior) and two secondary schools in Moengo (interior), secondary schools are entirely limited to the capital Paramaribo²⁵. To attend secondary school, children from the interior mostly are required to board with extended family, with host families, or at school. Some boarding schools are very basic and do not ensure that children are cared for within a protective, supportive, or healthy environment. Support structures are often weak or lacking. City life is very different to village life and for many of these children they will have had little preparation for it, let alone previous exposure to it. For

¹⁹ School mapping report East Suriname district, p.56-57, Ministry of Education, 2010.

²⁰ School mapping report East Suriname district, p.61, Ministry of Education, 2010.

²¹ Teacher status in the interior report, Buro Onderwijs Binnenland, 2008

²² Teacher status in the interior report, Buro Onderwijs Binnenland, 2008

²³ Teacher status in the interior report, Buro Onderwijs Binnenland, 2008

²⁴ Teacher status in the interior report, Buro Onderwijs Binnenland, 2008

²⁵ Education statistics, Indicators and trends 2008-2009, p. 20, Ministry of Education, 2010.

all these reasons, parents may have considerable concerns about sending their child away to school. This can put a strain, including financially, on the child's family, as well as any host family. As a result, care of the child may not be optimal and these children may not be adequately protected while in situations of increased risk²⁶.

7. People with disabilities

39. Children with disabilities – physical or mental - face a number of challenges in Suriname. While some children are accepted and cared for by their families, others may be placed in a child care institution and denied their right to grow up within a loving and protective family. In both situations, these children may not be able to attend school and may not have the opportunities to play and develop friendships with other children that their peers have. Children with disabilities may be stigmatised, and their families may also feel stigmatised by having a child with a disability. Children with disabilities face an increased risk of violence or abuse – partly because they may be unable to protect themselves, or understand that they can or should in some situations refuse the advances of adults or other children who wish to abuse them. Parents of children who screen positive for disability were statistically more likely to report hitting them on their face, head or ears or repeatedly and as hard as one could. Schools often may not accept children with disabilities, and very few have an environment that is adapted to meet the needs of children with disabilities. There are few special schools or other provisions for children with disabilities, generally, and none for children in the interior. Those that do exist may not be officially recognized as such by the Ministry of Education²⁷.

8. Minorities and indigenous people

40. Suriname recognises two indigenous groups: Amerindians (about 3.7%) and Maroons (about 15% of the population), both living mainly in the interior. Although improvements are possible and desirable, in general, the human rights of these groups are respected, but indicators regarding respect for indigenous children's rights to development, protection, survival and participation lags far behind that of children from the urban and coastal regions. Understanding the disparities is complex – it may be related to geographical factors, the lack of infrastructure and/or linked with poverty as the key reason for the disparities²⁸.

41. Indigenous children have a right to expect to integrate on their own terms, with their cultural identity preserved, rather than be assimilated into majority culture. They should have opportunities to use their language and speak their minority language without being impeded by ignorance of the majority language, Dutch. They have the right to have their needs met in the context of their family and community culture. The education system compromises the rights of indigenous children to development through the lower quality of education available to children in the interior and by the lack of availability of secondary schools, resulting in most children in the interior having to move to an urban centre if they are to pursue secondary education. Preventive and curative health care is provided by the Medical Mission, a government funded, non-profit organization, free of charge to the 50,000 people living in the

²⁶ Situation Assessment and Analysis of Children's Rights in Suriname, UNICEF, 2010.

²⁷ Situation Assessment and Analysis of Children's Rights in Suriname, UNICEF, 2010.

²⁸ Situation Assessment and Analysis of Children's Rights in Suriname, UNICEF, 2010.

interior, but significant disparities in the quality of care and the availability of specialised care between the interior and the urban coastal region²⁹.

V. Achievements, best practices, challenges and constraints

42. The Raamwet Opvang, a legislation framework for child care has been drafted in 2009. It remains to be approved by Parliament.³⁰

43. Suriname has made significant progress in the field of preventing HIV transmission from mother to child and access to treatment providing antiretroviral medicines to reduce the risk of mother-to-child transmission to 83% of HIV-positive pregnant women in 2008.³¹

44. Suriname has made extensive efforts in the field of juvenile justice. However, ensuring a comprehensive child protection system remains a challenge. Lack of data is a challenge and thus is a constraint for planning and response³².

45. The Government approved the National Action Plan for Children 2009-2013 in 2009. The National Action Plan for Children lays out roles and responsibilities for children's rights for all Ministries.

46. The Government passed an important law on curbing domestic violence in 2009.³³

VI. Key national priorities, initiatives and commitments

47. Multi-annual development plan (2006-2011) defines government priorities as aligned with MDGs.

48. The new government elected in 2010 has highlighted children's rights as a key priority for their administration and it is therefore expected that the passage and implementation of key legislation will be high on the new agenda.

VII. Capacity-building and technical assistance

49. UN is Delivering as One to support the fulfilment of human rights in Suriname.

50. UNICEF supports the Government in the development and implementation of legislation and public policies to conform to the CRC obligations and also assists the government in CRC reporting. In 2009 and 2010 UNICEF supported the Ministry of Justice and Police in capacity building for 30 judges, lawyers and public prosecutors in child rights issues and juvenile delinquency focusing on cases of children in conflict with the law, regarding the best interests of the child.

²⁹ Situation Assessment and Analysis of Children's Rights in Suriname, UNICEF, 2010.

³⁰ Situation Assessment and Analysis of Children's Rights in Suriname, UNICEF, 2010.

³¹ HIV/STI Surveillance Report 2004-2008, p. 33, Ministry of Health, 2010.

³² Situation Assessment and Analysis of Children's Rights in Suriname, UNICEF, 2010.

³³ The Domestic Violence Act, published in the Staatsblad nr. 84, 20 June 2009.

ⁱ UNICEF and UNDP took part in the drafting of the report.