

SURINAME

CEDAW A/57/38 part II (2002)

22. The Committee considered the combined initial and second periodic report of Suriname (CEDAW/C/SUR/1-2) at its 557th, 558th, and 566th meetings on 7 and 13 June 2002 (CEDAW/C/SR.557, 558 and 566).

Introduction by the State party

23. In introducing the report, the representative of Suriname stated that the Government took gender development and gender policy very seriously. In 1983, an official governmental Women's Bureau had been established, and in 1998 a National Gender Bureau had been incorporated in the Ministry of Home Affairs. The Government had participated in international women's conferences, the recommendations of which provided valuable inputs for its gender policy. A special passage regarding gender had been included in its Declaration 2000-2005 and, taking into consideration the Beijing Platform for Action and the Caribbean Community Post-Beijing Plan of Action, an Integral Gender Action Plan had been prepared for the period 2000-2005. A gender management system had been set up in order to manage and coordinate gender actions from within different ministries and to ensure gender mainstreaming. In 2001, the Ministry of Home Affairs had established the Commission on Gender Legislation with the task of advising and elaborating legislation in conformity with the Convention and with the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women.

24. In order to contextualize the current gender policy, the representative highlighted the socio-economic and political situation of the country. She noted, in particular, the serious negative impact of the current economic crisis on all layers of the community and on the lives of women..

25. The principle of equality of women and men was embodied in the Constitution, which prohibited discrimination, including on the basis of sex. If a woman was discriminated against on the basis of sex, she could resort to the common court.

26. In Suriname, women and men had equal access to education as guaranteed by the Constitution. Education at all levels was almost completely State-funded and was in principle free of charge for everyone, although that was likely to change in view of the current economic crisis. The representative pointed out that there were no available data on dropouts, but girls tended to drop out of school as a result of pregnancy. In order to encourage teenage mothers to complete their schooling, in 1989 the Government had initiated a student-mothers' project which, in 1992, had passed into the hands of a non-governmental organization. The representative informed the Committee that Suriname had always had a reasonably well developed public health system. However, since the early 1990s, owing to increasing poverty, there had been a reduction in access to medical facilities. Up to 2002 about 6,000 people had been infected with the HIV/AIDS virus, and more women than men were infected among the younger age groups. In order to fight the disease, the Government had undertaken several activities in the field of policy, research and education.

27. The representative pointed out that the Constitution guaranteed women the right to vote and stand for election and that in the Surinamese electoral system, women had the possibility of participating in the determination and execution of government policy. The participation of women in politics at national level had increased from 10 per cent in 1991 to 19.6 per cent in 2000. The participation of women in the current Government was 18 per cent and 3 ambassadors out of 15 were women. The low participation of women in decision-making positions was ascribed to psychological as well as cultural factors. There was a need for qualitative studies on the conditions underlying the limited participation of women in political life. In order to improve the situation, the Government had undertaken various activities, including the production of booklets to foster positive images of women.

28. The representative informed the Committee that 93 per cent of police reports in 1993 concerned mistreatment, particularly of women abused by their husband or partner. The Ministries of Justice and Police, Home Affairs and Social Affairs and Housing had played a significant role in combating violence against women. For example, the Ministry of Justice had participated in all commissions directed at legislative change, while the Ministry of Home Affairs, through its National Gender Bureau, played a facilitating role in activities aimed at care, counselling and training within the framework of the elimination of violence against women. The representative also informed the Committee about the training received by members of Parliament in 2000 as a background to the elaboration of legislation regarding violence against women and women's rights. Several non-governmental organizations were also active in community programmes to reduce the incidence of violence against women.

29. In concluding, the representative noted that the national gender policy covered all areas included in the Convention. She also highlighted the fruitful collaboration between the Government and civil society in the preparation of the report. Non-governmental organizations had played an important role in the achievement of gender equality in the country and had been very active in the formulation and implementation of the current national gender policy.

Concluding comments of the Committee

Introduction

30. The Committee commends the State party for ratifying the Convention without reservations in 1993 and for its combined initial and second report, which, although delayed, complied with the Committee's guidelines for the preparation of initial reports. The Committee noted the limited amount of updated data in several areas.

31. The Committee commends the State party on its high-level delegation, headed by the Minister of Home Affairs, and expresses appreciation for the oral presentation, which provided additional information on the current situation of implementation of the Convention in Suriname and the responses to some of the oral questions posed by the Committee. The Committee welcomes the Minister's announcement that Suriname's next periodic report would be submitted to the Committee in February 2003, and the fact that the State party would include the outstanding answers to the oral questions in that report.

32. The Committee welcomes the fact that the State party has the intention to undertake action to ratify the Optional Protocol to the Convention.

Positive aspects

33. The Committee commends the State party for drafting its report in collaboration with civil society, particularly non-governmental organizations. It notes with satisfaction that the State party recognizes the important role of the non-governmental organizations working on women's rights and gender equality.

34. The Committee notes with appreciation the implementation of the Gender Management System to coordinate the application of the Integral Gender Action Plan and the gender initiatives within various ministries. It also welcomes the adoption and development in Suriname of the Integral Gender Action Plan (2000-2005), which takes into account the Beijing Platform for Action, the Caribbean Community Post-Beijing Plan of Action and Suriname's national priorities.

35. The Committee commends the State party on the appointment in 2001 of a Commission on Gender Legislation tasked with producing gender-sensitive legislation and reviewing draft laws related to the international conventions on gender equality and to present recommendations on new legislation.

36. The Committee commends the State party for its support of a human-rights-based approach to development in which human rights education is key. It commends the State party on the creation of the Human Rights Education Project aimed at raising awareness about the importance of human rights instruments and the necessity of implementing them. The Committee hopes that the dissemination of information about the Convention is part of this project and wishes to be informed of the impact of the project in the next periodic report.

37. The Committee commends the State party for its sponsorship and promotion of the issue of older women at the international level.

38. The Committee commends the State party on the action taken and measures introduced to combat, punish and eradicate violence against women, in particular domestic violence, and looks forward to a further strengthening of activities in this area.

Principal areas of concern and recommendations

39. The Committee is concerned that the Convention has not been incorporated into domestic legislation and that no domestic remedies have been introduced into domestic legislation to enforce the Constitutional provision against discrimination based on sex.

40. The Committee recommends that the State party take steps to incorporate the Convention into domestic law and introduce procedures that will allow women to effectively enforce the prohibition of discrimination based on sex. The Committee also recommends that the State party introduce programmes to create awareness about the Convention, the Constitution and such remedies. The

Committee requests that the State party report on progress made in this regard in its next periodic report, including information on whether the Convention and the Constitution have been invoked by women before domestic courts.

41. The Committee notes with concern that a number of provisions exist in domestic law, including the Personnel Act, the Identity Act, the Nationality and Residence Act and the Elections Act, which allow for discrimination against women. The Committee is also concerned at the slowness of legal reform with respect to discrimination against women. In particular, it notes that an amendment to the Penal Code criminalizing gender-based discrimination, presented to the State Council in 1993, is still pending.

42. The Committee recommends that the State party review existing laws and amend discriminatory provisions to bring them into line with the Convention and the Constitution and to ensure compatibility between all national legislation and international conventions.

43. The Committee is concerned that the apparent lack of coordination among different mechanisms related to gender and a failure to allocate clear areas of responsibility may create obstacles to the effective implementation of the Convention.

44. The Committee recommends that the State party clearly define the mandates and the responsibilities of the different mechanisms related to gender and the interaction among them.

45. The Committee is concerned that the National Gender Bureau in the Ministry of Home Affairs, which is responsible for the formulation and execution of government policy on gender, does not have adequate human, financial and material resources for its work. The Committee is also concerned that the National Institute for the Promotion and Protection of Fundamental Human Rights has not functioned since 1995 and this may negatively affect the promotion and protection of women's human rights.

46. The Committee recommends that the State party provide the National Gender Bureau with adequate human, financial and material resources to give it visibility and effectiveness and to ensure effective implementation of governmental policies and programmes related to gender equality. It also encourages gender mainstreaming in all ministries. The Committee also recommends that the State party take measures to revive the National Institute for the Promotion and Protection of Fundamental Human Rights and ensure that this institute incorporates a gender perspective in its work.

47. The Committee is concerned about the deep-rooted stereotypical attitudes that undermine the rights of women and girls and the State party's apparent acceptance of the limited participation of women in public and political life as a result of these attitudes.

48. The Committee calls upon the State party to take urgent measures aimed at changing stereotypical attitudes about the roles and responsibilities of women and men, including through awareness-raising and educational campaigns directed at both women and men and at the media. The Committee emphasizes that a policy of gender equality in compliance with the Convention will require the recognition that women can have various roles in society, not only the important role of mother

and wife, exclusively responsible for children and the family, but also as an individual person and actor in her community and in the society in general.

49. The Committee is concerned about the low penalty for those who exploit prostitutes and that those who exploit prostitutes are not prosecuted. The Committee notes with regret that trafficking in women and girls has not been legally defined and has not been given the attention it deserves. The Committee is particularly concerned that the problem is viewed as a crime against public decency, rather than as a human rights issue, and that it is not being addressed owing to the lack of data. The Committee expresses concern that the maximum penalty of five years' imprisonment for trafficking in human beings may be too lenient given the gravity of the human rights violations involved.

50. The Committee recommends the development of programmes of action for women forced into prostitution by poverty and the introduction of policies to ensure the prosecution of, and stronger penalties for, those who exploit prostitutes and of adults involved in the exploitation of child prostitutes. The Committee also recommends the formulation of a comprehensive strategy to combat the trafficking of women, which should include the prosecution and appropriate punishment of offenders, witness protection and the rehabilitation of women and girls who have been victims of trafficking. The Committee recommends that the State party consider increasing the penalty for trafficking in women. The Committee requests the State party to provide in its next report comprehensive information on prostitution and on the trafficking of women and girls to allow the Committee to better understand the extent of the problems in Suriname.

51. Despite the active efforts of various government ministries to combat violence and protect women and children from all forms of mental and physical abuse and the work of non-governmental organizations and community groups on the issue, the Committee expresses concern that violence against women is a serious reality in Suriname. The Committee is encouraged, however, by the heightened awareness among women indicated by the high percentage of women who reported incidents to the police. The Committee notes with concern that, according to a 1998 study, 50 per cent of women indicated that there was sexual harassment in the workplace and one third of the women experienced sexual harassment at work.

52. The Committee urges the State party to place a high priority on measures to address violence against women in the family and in society in accordance with the Committee's general recommendation 19 and the Declaration on the Elimination of Violence against Women.^{1/} The Committee hopes that information on the report of the Government Commission on Public Decency Legislation enacted by Decree No. 8212 of 9 December 1996 will be included in the third periodic report. The Committee also requests the State party to provide information in its next periodic report on whether as indicated in the report, it has established a national commission to make an inventory

^{1/} See General Assembly resolution 48/104 of 20 December 1993.

of legislation on violence against women and to examine the compatibility of such legislation with treaties and report on any progress in this regard.

53. The Committee is concerned that marital rape is not an offence and that there are inadequate data on this form of domestic violence.

54. The Committee urges the State party to criminalize marital rape, prosecute offenders and provide data on this form of domestic violence in its next periodic report.

55. Noting the importance of ensuring the broadest possible participation of women to achieve adequate representation at all levels in Suriname, the Committee is concerned about women's underrepresentation in decision-making bodies in political and economic structures. The Committee notes that, although there are numerous women participating in training programmes, with respect to diplomatic careers the participation of women at the higher levels of the diplomatic service is low.

56. The Committee recommends the adoption of strategies to increase the number of women in decision-making bodies at all levels and in all areas. The Committee recommends that the State party adopt temporary special measures in accordance with article 4, paragraph 1, of the Convention to increase the number of women in decision-making levels in government, governmental bodies, public administration and diplomatic missions. It also recommends that the State party strengthen its efforts to organize special training programmes for women and to conduct, on a regular basis, awareness-raising campaigns in this regard.

57. The Committee is concerned that, in some educational institutions, teenage mothers are not always readmitted to junior secondary schools because of the perception that "the young mothers would have a negative influence on other girls", while teenage fathers are not prevented from attending schools.

58. The Committee requests the State party to include age-appropriate sex education in school curricula and to conduct awareness campaigns so as to prevent teenage pregnancies. The Committee requests the State party to include information on the impact of programmes to prevent teenage pregnancy in its next periodic report. The Committee also urges the State party to adopt the necessary legal or administrative measures to prohibit schools from barring young mothers and pregnant teenagers.

59. The Committee expresses concern at discriminatory practices and certain legal labour provisions that could lead to discrimination against women workers with regard to reproductive health and maternity and notes that, in the civil service, women are discriminated against when entering into marriage or becoming pregnant. It notes that regulations on flexible working hours are lacking and that the employer has the right to decrease the number of vacation days during the year in which maternity leave is enjoyed.

60. The Committee recommends that the State party remove discriminatory labour legislation in accordance with article 11 of the Convention and ensure that women workers have working conditions and social security benefits equal to those enjoyed by men, as well as protection for maternity without discrimination under article 4, paragraph 2 of the Convention.

61. The Committee notes with concern that rates of HIV/AIDS infection have increased and the

majority of those who are HIV-positive are young people between the ages of 15 and 29, with girls tending to become infected at a younger age than boys.

62. The Committee urges the State party to address the gender aspects of HIV/AIDS, including the power differential between women and men, which often prevents women from insisting on safe and responsible sex practices. It encourages the State party to strengthen its efforts to raise awareness and educate women and girls on ways of self-protection. The Committee urges the State party to ensure that women and girls have equal rights and access to health care and social services.

63. The Committee notes with concern that there are provisions in the penal code regarding family planning, including prohibiting the display and offering of contraceptives for the prevention of pregnancy, although these provisions are not enforced. Noting that male condom use is very low, the Committee is concerned that only women are targeted with regard to contraception. The Committee also notes that information and statistics are missing as to other important areas of health to women, including on menopause, ovarian cancer and substance abuse, including tobacco, and the mental and psychological health of women.

64. The Committee recommends that the laws restricting family planning activities be repealed. It urges the State party to provide women and men with information on family planning and to introduce programmes to encourage men to take part in family planning responsibilities. The Committee underlines the importance of article 12 of the Convention and urges the State party to implement policies and programmes in accordance with the Committee's general recommendation 24. The Committee requests the State party to provide detailed information on other areas of health that are of importance to women in its next periodic report.

65. The Committee is concerned about the situation of rural women, in particular the indigenous Amerindians and the Maroons, in the coastal plain and in the interior of Suriname, who are disadvantaged by poor infrastructure, limited markets, obstacles in availability and accessibility of agricultural land and agricultural credit, low literacy rates, ignorance of existing regulations, lack of services and environmental pollution. It notes with concern the serious absence of specific policies in all these areas, including on family planning and preventing the spread of sexually transmitted diseases, including HIV. The Committee is also concerned that women's work in rural areas is not considered productive labour and that they are hardly represented at all in local government bodies. The Committee is also concerned about the absence of detailed information on the situation of older women in rural areas.

66. The Committee urges the State party to give full attention to the needs of rural women, including older women, particularly Amerindian and Maroon women, to ensure that they benefit from policies and programmes in all areas, in particular access to health, education, social services and decision-making. The Committee requests the State party to provide detailed information in this regard in its next periodic report.

67. The Committee is concerned at the scarcity of details as to the legal capacity of women, in particular unmarried women, under articles 15 and 16 of the Convention in the report of the State party. It is also concerned at the very low age of marriage for some communities.

68. The Committee urges the State party to review the law on marriage in line with articles 15 and 16 of the Convention and include in its next report more information and data, including judicial decisions, on cases involving residence, domicile and travel of women, and also with regard to their children. The Committee further requests the State party to include in its next periodic report information on the progress with regard to reform of the laws on marriage.

69. The Committee encourages the State party to consider ratification of the Optional Protocol to the Convention and acceptance of the amendment to article 20, paragraph 1, of the Convention, relating to the Committee's meeting time.

70. Taking account of the gender dimensions of declarations, programmes and platforms for action adopted by relevant United Nations conferences, summits and special sessions (such as the special session of the General Assembly to review and appraise the implementation of the Programme of Action of the International Conference on Population and Development (the twenty-first special session), the special session on children (the twenty-seventh special session), the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and the Second World Assembly on Ageing), the Committee requests the State party to include information on the implementation of aspects of these documents relating to relevant articles of the Convention in its next periodic report.

71. The Committee urges the State party to respond in its next periodic report to the outstanding issues raised in the constructive dialogue and the specific issues raised in the present conclusions. It also urges the State party to improve the collection and analysis of statistical data, disaggregated by gender and age, and to submit such data to the Committee in its next report.

72. The Committee requests that the text of the present conclusions be widely disseminated in Suriname so as to inform the public, in particular administrators, officials and politicians, of the measures taken to guarantee de jure and de facto equality between men and women and of the supplementary measures to be adopted in that area. The Committee also urges the State party to continue to give broad publicity to the Convention, its Optional Protocol, the general recommendations of the Committee, the Beijing Declaration and Platform for Action, and the results of the twenty-third special session of the General Assembly, entitled "Women 2000: Gender Equality, Development and Peace in the Twenty-First Century", which was held in June 2000, particularly among women's associations and human rights organizations.