

IMPLEMENTATION OF THE CONVENTION ON THE RIGHTS OF THE CHILD

***LIST OF ISSUES TO BE TAKEN UP IN CONNECTION WITH
THE CONSIDERATION OF THE INITIAL REPORT OF
SURINAME***

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IMPLEMENTATION OF THE CONVENTION OF THE RIGHTS OF THE CHILD

List of Issues to be taken up in connection with the consideration of
the initial report of Suriname (CRC/C/28/Add.11)

GENERAL MEASURES OF IMPLEMENTATION

(Arts. 4, 42, and 44, para.6 of the Convention)

1. Please indicate the exact status of the Convention on the Rights of the Child in relation to the Constitution and other domestic law.

The Convention on the Rights of the Child was ratified in 1993 and published in the Law Gazette of Suriname in November 1999. Since then it has taken immediate effect.

Article 103 of the Constitution states that: Agreements with other powers and international organizations shall be concluded by or with the authority of the President, and insofar as the agreement requires, shall be ratified by the President. The National Assembly shall be notified of such agreements as soon as possible; they shall not be ratified and they shall not come into effect until they have received the approval of the National Assembly.

Article 105 of the Constitution: The provisions of the agreements mentioned in article 103, which may be directly binding on anyone, shall become in force upon promulgation.

Article 106 of the Constitution: Legal regulations in force in the Republic of Suriname shall not apply if such application should be incompatible with provisions of agreements which are directly binding on anyone and which were concluded either before or after the enactment of the regulations.

With reference to paragraph 11 of the report, please indicate whether the draft bills, intended to ensure greater conformity with the Convention, have been adopted by the National Assembly.

With reference to the draft bills listed in paragraph 11 of the report we can indicate that, the "Bill on the elimination of discrimination of children born out of wedlock", has been adopted by the National Assembly and it has taken immediate effect since February 2000 (published in Law Gazette of February 18th 2000).

The bills on visitation rights of divorced parents and of hearing minors during court proceedings, which concern their personal interest, have yet to be adopted.

Please also provide information on any additional measures taken and/or envisaged to bring legislation and practice into line with the principles and provisions of the Convention.

The bill on offenses against public decency is still a draft; an inter – ministerial Committee has been installed to complete this draft bill.

2. Please provide additional information regarding the mandate and activities of the President’s Steering Committee and indicate whether it is intended to replace the National Commission on the Rights of the Child.

This Committee has not officially replaced the National Commission on the Rights of the Child which was installed in 1995. After it’s mandate of 2 years no reappointment took place. In it’s evaluation the Committee indicated that it was not able to function adequately, partly due to the heavy workload and multiple commitments of Committee members. Based on an assessment how best to proceed, the Government decided to install a Steering Committee as of the 9th of October 1998. It is being chaired by the Under – Minister for Social Services and Housing.

The tasks of the Committee are to:

1. Formulate a National Youth Policy where the pillars are the right to protection, development, life and participation;
2. Guide the process of conforming the national legislation on youth with the CRC;
3. Establishment of the National Youth Council.

The Steering Committee is currently drafting a National Youth Policy in close collaboration with sector Ministries, NGOs and the National Youth Council. The process of conforming national legislation with the CRC is ongoing. The first comprehensive analytical comparison of the national legislation with the CRC took place prior to Suriname's ratification of the CRC in 1993. The preparation of the Initial Report has been elaborated on this analysis. Several thematic analyses have been conducted since, including legislation with regard to child care, and the recently completed Juvenile Justice assessment.

Based on the results, the Government continues to work on conforming national legislation. The process requires time and continued research, with consideration for social and contextual factors. It should be noted that the shortening of the term of this Government by one year, also have consequences for the continuation of the activities of the Steering Committee.

The National Youth Council was installed on November 20th 1999, composing of 21 members within the age group 12 – 17 years, for a period of 2 years. The members were chosen by elections held in all 10 districts. In all these 10 districts youth congresses were organized with the focus on Child Rights, and participating children held presentations on the various rights.

The Steering Committee has established a National Youth Institute, through which the Youth Council operates.

The task of the Youth Council is to advise the Government on child related issues and youth policy.

Please also provide additional information, including statistical data on the level of resources (financial, human, and technical) allocated to ensure the effective functioning of the President's Steering Committee

The financing of activities of the Steering Committee is done out of Government budget. For the activities regarding the installation of the Youth Council an amount of Sf 30.000.000 (US\$ 30,150.75) was allocated. The National Youth Congress for the election of the Youth Council was conducted with UNICEF support. For 2000 and following years preparations are being made to include the National Youth Institute as a line item in the national budget.

In this context, please provide an update on the status of the National Plan of Action, which was to be drawn up by the National Commission on the Rights of the Child.

During their term the National Commission has prepared a draft framework for a National Plan of Action. The Steering Committee is currently preparing a National Youth Policy, which will serve as the basis for the finalization of a comprehensive National Plan of Action.

Please also provide additional information on the measures taken and/or envisaged to ensure that the principles and provisions of the Convention are disseminated at all levels of society, including through the training of professionals working with and for children and the incorporation of human rights and child rights education into the school curricula.

1. On the initiative of the Steering Committee, a Child Rights paper is being published and distributed to promote child rights all over the country through schools; press releases were made about the mobilization activities and mini – congresses were organized by the Steering Committee and broadcasted through the media.
2. The National Women's Movement carried out a nation wide public education programme regarding the rights of children born out of wedlock and sensitizing of the State Commission on developing legislation for elimination of discrimination against children born out of wedlock.
3. The Foundation Pikin fu Sranan (NGO) presents on a weekly basis radio and TV programmes on CRC articles.
4. The Government initiated the "Media Award". This award is presented every two years to four media houses, journalists and community members who make exemplary efforts to promote and protect child rights through the media.
5. Through the GOS – UNICEF Cooperation Programme 1998 - 2002, the following activities were executed up till now:

- Survey among media workers on media programs for children & youth
- One – day media workshop to consult with media practitioners on ways and means of improving current programs and sensitize them on CRC principles
- Media training on ways for developing programs with a focus on Child Rights
- At district level a seminar was organized on the awareness of child rights among the youth; representatives from youth - & church organizations and CBOs attended this seminar
- In regard to the 10th anniversary of the CRC, a workshop was organized with the focus on the right of the child to information; this workshop was attended by schoolchildren
- In November 1999 a competition was held where 22 law students made presentations regarding: child rights are human rights, child rights in theory and practice, crimes of the youth and crimes against youth. These speeches are currently being bound in a booklet for presentation to the larger community.
- To create awareness of the situation of women and children, a video was produced in 1998 titled "Mi Sa Singi". On International Children's Broadcasting Day, the Rotary Service Club, sponsored the broadcasting on all TV stations in Suriname.
- Four CRC TV spots were produced for regular broadcasting
- CRC folders and posters were produced to be distributed to the community.

Up till now there has not been an incorporation of human rights and child rights into the school curricula. The Commission of Basic Life Skills develops material including aspects on children's rights, but the CRC has not been included as subject in the curriculum.

Please provide information on the National Institution for Human Rights or any other human rights mechanism mandated to receive and investigate complaints from children concerning violations of their rights.

There is no National Institute for Human Rights currently operational in Suriname. There is a non-governmental organization, Moiwana '86, whose objective is to observe human rights in Suriname, in particular to enhance civil and political rights. This organization investigates human rights violations and brings these cases to the attention of the proper authorities.

Additionally, please outline the procedure for the submission and investigation of complaints from children regarding violations of their rights and indicate whether there have been any cases involving such violations.

Currently there is no formal Government procedure for the submission and investigation of complaints from children. In general, any citizen, including children, can deposit a complaint at the police or Public Prosecution Office. After someone has made a complaint, a report is drawn up. Then legal advice is given or the person is referred to the relevant institutions or a lawyer. The organization also investigates complaints and reports the result to the proper authorities. Within the Government, the Ministry for Social Services and Housing is responsible for social youth protection measures.

There is a division within the Ministry, which provides assistance for children and their family who are in a socially deprived situation. There are two shelters under supervision of the Ministry, one for boys and one for girls.

This Ministry is setting up a child monitoring system at present with UNICEF support, to register cases of child abuse.

Furthermore there are various non - governmental organizations active in the field of working with children: Foundation Maxi Linder; Foundation for the Child (Stichting voor het Kind), Foundation for Human Development, Foundation Stop Violence against Women (Stichting Stop Geweld tegen vrouwen).

The Youth Department of the Police in cooperation with these NGO Foundations handles most cases of child rights violations that are reported. Within the Foundation for the Child, there is a crisis center, which provides care for the child after a complaint has been filed.

Also, medical guidance is provided. In some cases the abused child is also confronted with the abuser and other family members to possibly come to a solution and to re-establish family relationship.

The Public Prosecution office also investigates any complaint regarding child rights violations, for example when a charge is made concerning sexual or physical abuse of a child.

Cases regarding child neglect or abuse are brought to the attention of the organizations through:

- Teachers
- Religious organizations
- Parents
- Health workers
- People trained to detect abused children
- Social workers of the organizations

Legal and other resources available for abused and neglected children:

- Youth Police – Ministry of Justice and Police
- Foundation for the Child
- Foundation Tamara
- Koela (crisis center for boys)
- Emmaus (crisis center for neglected children)
- Medical Pedagogical Bureau within the Ministry of Health

In light of the sensitivity of child abuse and neglect, and the barriers for children to access the regular resources, the Government recognizes the need to institute a comprehensive and child-friendly mechanism for the submission and investigation of complaints from children.

4. In light of article 4 of the Convention, please provide additional information, including statistical data, on the measures taken to implement economic,

social and cultural rights to “the maximum extent of [...] available resources and, where needed, within the framework of international cooperation” for the rights of children, especially children living in the interior. Additionally, please specify the percentage of the national budget allocated to children’s programmes.

Since 1998 the Government of Suriname has been allocating 25% of the national budget for the social sector, which mainly benefits mothers and children. Since then, the Government has been working on the development of effective distribution models of these funds between the subsectors (Ministry for Social Services and Housing, Education, Health and Labour) .

The Government also supports the 20/20 concept, which stipulates that 20% of Government spending and international support should be dedicated directly to children. In this context the Director of the General Bureau for Statistics participated in a regional workshop presenting budget analysis models and skills. Since 1998 the Government is preparing to conduct an in-depth 20/20 country analysis. Social and economic instability and lack of manpower contributed to delays. With UNICEF support the 20/20 country analysis will be implemented this year. Special attention will be given to the provisions for children living in the interior.

5. Please indicate what measures have been taken to develop indicators and collect disaggregated data on the status of children, especially those belonging to vulnerable groups including children living and/or working on the streets; child victims of physical and sexual abuse; child victims of drug abuse; teenage mothers; children in conflict with the law; child victims of commercial sexual exploitation; children with disabilities; and children belonging to Amerindian and Maroon communities.

Within the UNICEF – GOS Cooperation Programme, initiatives have been taken to generate data with regards to children:

- CNSP (Children in Need of Special Protection): this project covers data gathering of children in institutions, children in conflict with the law, children with disability and abused and neglected children.
The first pilot project with 13 institutions has been completed and a draft report has been presented. The second pilot is now in process.
- CIMS (Child Indicators Monitoring System): main objective is to institute and strengthen a system of regular monitoring of indicators relevant to the well being of children and their families. This will help to revise and update the World Summit Goals annually, ensure the monitoring of the achievement of the goals on a regular basis, and to inform the policy decisions concerning children and women in the country. A CIMS Committee was installed with representatives from relevant Ministries and agencies. A plan of action was developed and initiated. Expectations are that first sets of data will be available before the end of the year.
- MICS (Multiple Indicators Cluster Survey): this is a situation analysis of children and their families. It has been executed in Suriname to provide nation wide

information based on an in-depth and up-to-date set of statistics on the health situation and well-being of children in Suriname which can be used as an input to the National Plan of Action (NPA) and to achieve the World Summit Goals (WSG). MICS fieldwork and data processing have been completed and the report will be available in June.

- On the aspect of child victims of commercial sexual exploitation, the Foundation Maxi Linder, currently conducts a research on the status of children of commercial sexual workers and the possibility of them revolving into sexual exploitation/prostitution. The study will be finalized in coming months.
- Report on data “Status of Children in Suriname, World Summit Goals, Indicators and Definitions”.
- Literature review through which all agencies, individuals and educational institutions have been listed who carried out studies and research concerning protection of the rights of children in Suriname.
- The National Council on Occupational Health (NRB), with support from the PAHO and assistance of the Foundation for Occupational Health (Stichting BGZ), made an effort to establish a National Health Information System on Occupational Morbidity and Mortality. This system will comprise of Public Health data; medical data; data on Pharmacies, Dentists, Physiotherapists and the Foundation for Family Planning; occupational health data and residential data.
- The Foundation for Development of Women and Children “Sanomaro Esa” initiated a project to collect data on children in the hinterland and indigenous children who are in the city for study purposes.
- Completed Survey on drop out youth in Sipaliwini and Marowijne district (hinterland) indicated that approximately 627 children (4 – 14 years) do not attend school in Marowijne, while almost 60 % of that age category of children in the Upper Suriname river are out of the school system. Final results will be used in developing a needs – based vocational training programme to provide basic skills, including numeracy and literacy with the aim at bringing the youth back to the mainstream of the society
- Child Labour Study is done; a draft report is made.
- Recently a Global Youth Tobacco Survey is being prepared by Bureau Alcohol and Drugs (GO) and an NGO (not identified yet) in collaboration with PAHO and WHO.

Further, please describe the extent to which these indicators and data are currently used in the formulation of policies and programmes for the effective implementation of the Convention.

The collected data will support the Government’s efforts to increase its investment in basic social services and to ensure that decision makers, NGOs and communities have access to information for identification of activities in favor of children.

DEFINITION OF THE CHILD
(Art. 1 of the Convention)

6. Please provide information on the legal minimum ages for legal and medical counseling, sexual consent, and consumption of alcohol.

- Legal minimum age for legal counseling: 10 years
Juvenile delinquency in Suriname implies a punishable act or offense committed by a person of 10 years or older, but who has not yet reached the age of 18
- Legal minimum age for medical counseling: there is no legislation on a legal minimum age; however in practice the parents or guardians of children are consulted
- Legal minimum age for sexual consent:
According to article 297 Penal Code, he who has intercourse with a girl under the age of 12 years, will be punished with a sentence of 12 years. Article 298 Penal Code states that he who has extramarital intercourse with a girl, who has reached the age of 12 years but not of 14 years, will be punished with a sentence of 8 years. Article 298 should be seen in the light of the Asian Marriage act, which indicates that the minimum age of girls for marriage is 13 years.
- Legal minimum age for the consumption of alcohol: 16 years, according to article 536 Penal Code.

Additionally, please also indicate whether measures have been taken or are envisaged to increase the legal minimum age for the marriage of girls (15 years) to the equivalent of boys (18 years).

No measures have been taken or are envisaged to increase the legal minimum age for the marriage of girls (15 years) to the equivalent of boys (18 years).

In this context, please also indicate whether an amendment to the Asian marriage Act is envisaged to increase the legal minimum ages for the marriage of both boys (15 years) and girls (13 years) and to further ensure non-discrimination against girls in this regard.

There are also no measures taken for amending the Asian Marriage Act to increase the legal minimum ages for marriage of both boys and girls. It is important to note that the prevalence of Asian marriage at very young age is rapidly reducing as a consequence of changes in society. However, this remains a sensitive area for formal intervention, since it regards customs based on cultural-religious values. However, the Government recognizes the need to address this issue.

Further, please indicate whether the State party envisages increasing the legal age for criminal responsibility.

No measures have been taken to increase the age of criminal responsibility. Based on the recently finished Juvenile Justice study, national consultations and seminars are planned for the second half of 2000, to reach consensus regarding adjustments in the juvenile justice system, including this issue.

Please indicate whether measures have been taken or are envisaged to increase the number of years for compulsory education to provide greater

access to children between the ages of 12 and 14 years who are beyond the legal age for compulsory education (12 years), but have not yet met the minimum age for employment (14 years)

No measures have been taken to increase the minimum age for compulsory education for children. Within the Ministry of Education there are suggestion to increase the minimum age from 12 to 14 years. This issue will be discussed in a national education congress scheduled for December 2000.

GENERAL PRINCIPLES

(Arts. 2,3,6 and 12 of the Convention)

7. In light of article 2 of the Convention and with reference to paragraph 21 of the report, please provide information about the policies and programmes undertaken and/or envisaged to ensure non-discrimination against children, particularly children born out of wedlock.

The National Women's Movement (NVB) has taken action to eliminate discrimination against illegitimate children in law of succession. Previously, Surinamese law of succession discriminated against children born out of wedlock. Following requests from both individual women and women's community groups, to provide information about the position of children born out of wedlock in the law of succession, the NVB undertook a broad social mobilization and advocacy campaign since 1993 to reach legal equality between children born in and out of wedlock in the law of succession.

The campaign so far included:

- The production of three videos respectively on "the position of legitimate children in law of succession", "the position of illegitimate children in law of succession", "common law marriage and the law of succession";
- Broadcasting these videos on television
- The organization of discussions with women's groups and community groups, based on the videos and supported by legal experts who provided detailed information on these subjects;
- The production of a booklet on this problem;
- The conduct of a survey in order to assess the view of the Surinamese population in general, on the current legislation and on the proposed modifications;
- The organization of a seminar in December 1996 on the survey results with representatives of women's organizations and government representatives;
- The presentation of the outcomes of the seminar to the Government and the National Assembly as part of the International Women's Day activities 1997: reports were presented to the President, the Minister of Justice and Police; the Minister of Regional Development. The Speaker of the National Assembly requested these officials to do their utmost in order to have the amendments approved before International Women's Day 1998;
- Close contact with top officials of the Ministry of Justice and Police in order to have the proposal discussed and approved by the Council of Ministers (the

amended legislation was approved in March '98, before International Women's Day 1998, by the Council of Ministers).

This campaign resulted in the passing of a Bill by the National Assembly in January 2000, guaranteeing equal rights for illegitimate children in Law of succession.

The passing of the Bill still leaves questions for people about the changes and the new position of children. It is necessary to give information. So on the 24th of March the N.V.B. held a live television programme where people could call and pose their questions. Furthermore, a set of pamphlets on the changes will be produced and disseminated.

8. Please provide additional information on specific measures taken and/or envisaged to ensure that the principles of the best interests of the child (article 3) and respect for the views of the child (article 12) are reflected in legislation as well as actions taken by social welfare institutions, courts of law and administrative authorities.

The Ilse Henar Hewitt Bureau for Women's Rights offers advice, information and education to the public in general and women in particular.

One of the problems the Bureau is confronted with, is the fact that children of parents, who are divorced, are often caught between the conflicts and emotions of their parents. This is an obstacle for them to live in peace and exercise their rights to have contact with both parents. The CRC states in article 9.3, that States parties to the Convention shall guarantee the rights of children, who live separate from one or both parents, to have personal relations or direct contact with both parents unless this is against the interest of the child.

The Ministry of Justice and Police has prepared a Bill in order to change the existing legislation, in order to guarantee the rights of children to have direct communication with their parents.

Another important Bill that was prepared, is the one related to article 12 of the Convention of the Rights of the Child. This article states, among other matters, that States parties to the Convention shall ensure that children have the capacity to have an opinion and have the right to speak their mind freely in all cases related to their own interest. As such, children shall get the opportunity to give their view in all legal and administrative procedures related to their interest. In order to improve the protection of children under the Surinamese legislation, a Bill has been prepared by the Ministry of Justice and Police.

This Bill will enable children from the age of twelve, whose parents are involved in a divorce process, to inform the judge about their opinion especially concerning matters of guardianship.

The I.H.H. Bureau for Women's Rights and the Bureau for Family and Law affairs (Ministry of Justice and Police) promote awareness and general debate about the rights of children of divorced parents to communicate with both parents and to contribute to the passing of the related Bill by the National Assembly as soon as possible.

Please also provide some examples of implementation of these principles by courts and/or administrative bodies.

Through activities of the Steering Committee, mini – congresses were held in the different districts. At these congresses, children in the age – group of 12 – 18 held presentations on the various rights incorporated in the CRC. There was also the installation of the National Youth Council by the President. Through this Council children are able to give their opinion and advise on child related issues. For instance during recent strikes in the education sector, the Youth Council contributed to the national debate regarding the impact of the strikes on children and possible solutions.

In the light of General Welfare, the Ministry for Services and Housing subsidizes State owned care centers especially those that provide care for the physical and mentally disabled.

There are some draft legislation formulated:

- Draft bill on child care in day care centers;
- Draft bill on Social Services Delivery; this has passed the Board of Ministers and is now sent for advise to the advisory body of the Government;
- Draft bill on youth social assistance.

Furthermore there is a Division Child Feeding which is responsible for prevention of malnutrition of minors (especially children in day care centers and the poor) by supplying food on a daily basis.

CIVIL RIGHTS AND FREEDOMS

(Arts. 7, 8, 13-17 and 37 (a) of the Convention)

9. Please provide information on the use of corporal punishment in families, schools, care and other institutions. Additionally, please indicate whether there is an intention to prohibit by law all forms of corporal punishment

There is no national data regarding corporal punishment in families. In a survey conducted by the Teachers Training College in 1999, 12.9% of parents reported that they apply corporal punishment, while 50% endorsed the use of corporal punishment in school. With Government endorsement the NGO National Women's Movement received UNICEF funds in 1999 to implement community awareness and education activities towards better parenting. In this context videos were produced which address the issue of corporal punishment, and present alternatives. These videos will be aired on TV and made available to community groups for educational purposes.

Officially corporal punishment is forbidden by the Ministry of Education, which is demonstrated by memos addressed to teachers dating back as far as 1942. In a memo dated March 29, 1950, addressed to the heads of schools, it is once again stipulated that corporal punishment is a detestable practice and against Government policy.

The memo further stipulates that every application of corporal punishment has to be reported to the Ministry by the head of school. The memo mentions that

consequences for application of corporal punishment vary from reprimand to immediate dismissal of the teacher. It is a known fact, however, that corporal punishment is still common practice in schools in Suriname.

In order to influence public opinion, the Teachers Training College initiated a community education campaign with posters, folders and seminars to increase awareness regarding the harmful nature of corporal punishment. Students and teachers are also sensitized regarding the issue.

There is also no data available regarding the prevalence of corporal punishment in care and other facilities, but it can also be assumed that this is common practice. With the above mentioned community awareness and sensitization activities it is anticipated that corporal punishment will become less socially acceptable and be reduced in prevalence. It is also important for the government to enforce existing disciplinary measures, i.e. dismissal of teachers applying corporal punishment.

Further, please also indicate what measures have been taken to prevent police brutality and/or unlawful use of force by the police or military forces, particularly as regards children living and/or working on the streets and children in conflict with the law. Please also provide information on the procedures and mechanisms established to address alleged cases of police brutality and to facilitate the rehabilitation of child victims in this regard.

There have been some cases of police brutality and unlawful use of force against children in detention. In these cases, a written complaint is filed at the Head of the Judicial Child Protection Service. Then the complaint is brought to the attention of the Head of the Juvenile Reformatory and the offender is reprimanded to correct his behavior. If the afore mentioned has not led to a satisfactory solution, then the Public Prosecution Office is responsible for investigation. Cases concerning children living/working on the streets have not been reported. Mechanisms to investigate complaints in this regard are the

- Department of Youth Affairs of the Ministry of Justice and Police
- Foundation for Child Development
- Bureau for family matters of the Ministry of Justice and Police

FAMILY ENVIRONMENT AND ALTERNATIVE CARE
(Arts. 5, 18(1) and (2), 9, 10, 11, 19, 20, 21, 25, 27 (4), and 39)

10. Please indicate what measures have been taken to establish a code of standards for children's homes and alternative care institutions in Suriname which addresses issues such as size, occupancy rates, sanitation, medical care, nutrition and activities, including and where necessary educational activities.

In Suriname the government and NGOs are engaged in child care activities. Government day care centers and a number of private childcare institutions are associated with the Government foundation "Supervision and Exploitation of childcare institutions" and receive government subventions. However, over the past decade, there has been a significant growth in types and numbers of formal and informal childcare facilities.

Through the Ministry for Social Services and Housing, a draft bill was prepared with regard to the introduction of a permit system for the exploitation or establishment of a care-providing institution. This bill introduces the obligation to obtain a permit through the Ministry for Social Services and Housing. There are certain conditions incorporated to guarantee the quality of provisions, of services and protection of the children.

In 1996 legislation was drafted to regulate all types of childcare facilities, including day care centers, children's homes and alternative care institutions. This draft legislation was the result of NGO-Government consultations. Key issues in this legislation include:

- a) the establishment of an interdisciplinary committee to review requests for permits and to monitor child care agencies;
- b) training and qualifications of staff;
- b) the development and enforcement of specific issues such as size, occupancy rate, number of staff, nutrition, and activities.

While the draft has not passed the National Assembly yet, the spirit and contents are already being included in government-supported training programmes for child care staff. The government also reorganizes the government day care center programme accordingly. The Government recognizes the need to pass and enforce this legislation and to develop appropriate legislation further defining a code of standards for childcare facilities.

In this regard, please indicate what measures have been taken to increase the level of resources (financial and human) allocated to alternative care.

As mentioned previously, the Government of Suriname is structurally allocating 25% of the budget to social services since 1998. In spite of the serious budgetary constraints, the Government is making an effort to increase or allocate funds for key areas including alternative care. For instance the Government recently approved the amount of Sf 130,000,000 (US\$ 128,078.82) for the operationalisation of the alternative care facility for girls.

With reference to information provided in paragraph 69 of the report, please describe the current situation of girls deprived of a family environment, particularly in light of the closure of the only alternative care facility for girls. In this context, please also highlight the measures envisaged to guarantee the protection and care of girls in this regard.

Recently the Government approved the allocation of financial means for the operationalisation of the alternative care facility for girls. Currently preparations are made for the operationalisation in collaboration with other Ministries. During the period this care facility was closed, efforts have been made by private institutions for alternative or permanent care for these children.

Additionally, please indicate whether legal and administrative procedures have been established to guarantee the periodic review of the placement of children in alternative care, including those in foster care and in the inter country adoption programme, in light of article 25 of the Convention.

Through the Ministry of Social Services and Housing legislation was also drafted to regulate social assistance for youth. In this draft bill, guidelines and conditions are incorporated for institutions responsible for social assistance for the youth. Furthermore there are regulations in this draft concerning the responsibilities and qualifications of the Ministry of Social Services and Housing. This bill provides regulations on the placement of children in institutions, the supervision during the period of placement and the periodical evaluation.

Please also provide information on the practice of informal/traditional adoptions.

Since years there is a “kweekjes system” in Suriname. This means that parent(s) who are in a social economic deprived situation can give up their child to another couple for custody to bring or care for it. There is no need for a family relationship between the biological parents and the adopting couple. The important factor is that the couple, who will have custody of this child are able to provide in the needs of the child.

Further there is also the possibility that minors can be given to a family relation e.g. an aunt; grandparents.

These are cases where the custodians don't have the formal custody over these children.

In 1981 a draft Decree was formulated regarding Foster Children, through which everyone who has the care over children, without having formal custody over these children, are compelled to register this at the Bureau of Family Law of the Ministry of Justice and Police. This Decree however has never taken effect.

Since 1972, Suriname has an Adoption Law.

11. Please provide information on the strategies developed to prevent child abuse, including sexual abuse within the family, and on the mechanisms established to assist both victims and perpetrators of such abuse.

The Foundation for Human Development pioneered interventions to increase community awareness and prevent child abuse including sexual abuse. As the Government recognized the importance of this issue, the Bureau for Child Development (BKO) received full Government support from the onset (late eighties). In 1994 this collaboration was formalized in a letter of agreement between the Government of Suriname and BKO. The Government supported the Foundation for Human Development through provision of staff, subsidy and accommodation in their pioneering work to develop and implement strategies to reduce, identify and prevent child abuse in the family and in the community.

Within this context the Bureau for Child Development (BKO), as the working arm of the Foundation for Human Development, developed and provided training for key groups in the community, including police, the Department of Justice and health workers. Intensive community education activities were carried out in order to sensitize the community in this regard. The training developed by BKO has been institutionalized and has become a standard component of the training programme for police cadets.

The Foundation for the Child and some other NGOs have also been active in community awareness raising activities over the past years, with full government support. This support covered financial subventions and the availability of civil servants.

In 1999 the Gender Bureau, a division of the Ministry of Home Affairs, initiated the Domestic Abuse network in order to achieve a comprehensive national effort to identify, treat, and prevent all types of domestic abuse, including child abuse. Relevant Governmental and Non- Governmental Organizations have been invited to participate in this network. Key objectives are to evaluate and improve inter-agency collaboration, to avoid duplication, and to provide further training for key partners in this process.

Further, please provide additional information on the mandate and activities of the Foundation for Human Development and the Foundation for Help to Victims, particularly as regards their support, including social and psychological assistance, to child victims of abuse.

The Foundation for Human Development was initiated by Mrs. Lilian Ferrier, who was at that time an employee of the Ministry for Social Services and Housing. The goal of the Foundation for Human Development is to enhance and promote the optimal development and well-being of children in Suriname and to initiate, encourage, assess and guide activities in Suriname aimed at children and youth in Suriname. The Bureau for Child Development (BKO) was established by Mrs. Lilian Ferrier as the working arm of the Foundation.

Recognizing the importance of such an organization, the Government of Suriname released Mrs. Ferrier with full salary and benefits, from her duties to become the director of the Bureau for Child Development.

The Government also provided additional staff and subvention to the Bureau. In 1994 the collaboration between the Foundation and the Government was formalized in a Letter of Agreement in which the Government pledges to provide support to the Foundation for the implementation of activities which have been approved by the Government. The Letter of Agreement mentions in general activities towards enhanced development and well-being of children and youth, and specifically community education, training, guidance, and support to children in crisis situations. The Foundation for Help to Victims was established with the goal to provide emotional, social and financial support to victims of crime.

The reason for the establishment of the Foundation for Help to Victims was that in the current court system the focus was on the offender, with little attention for the victim. Due to lack of funds and human resources the Foundation currently operates on voluntary basis, mainly in the area of community sensitization and education.

Please also highlight the challenges faced by these agencies in carrying out their mandates.

Similar to other NGOs in Suriname, these agencies face many challenges. The current economic crisis and the brain drain have significantly compromised the Government's capacity to provide leadership and financial support to NGOs. Due to the severe inflation, the significance of subventions provided by the Government has gradually decreased. NGOs are now forced to actively identify and compete for additional funds. Other challenges include poor collaboration and rivalry between NGOs, lack of qualified staff and limited experience with and access to private funds.

Additionally, please describe the measures taken and/or envisaged to reopen the Crisis Center for Sexually Abused Children

The Crisis Center operated by the Foundation for Human Development with Government support between 1991 and 1993 was closed due to internal problems. The Crisis Center for Sexually Abused Children operated by the Foundation for the Child started functioning in 1993 and has been providing services to an average of 100 child victims of sexual, physical or other types of abuse annually.

BASIC HEALTH AND WELFARE

(Arts. 6, para. 2, 23, 24, 26, and 18, para. 3, and 27, paras.1-3)

12. Please provide an update, including relevant statistical data on the situation of the health, survival and development of children in Suriname. In particular, please describe the current situation with respect to malnutrition, infant and child mortality, vaccination coverage, and the occurrence of malaria.

In general it can be concluded that over the past 15 years, Suriname has gone through severe economic and social decline, which has adversely affected the situation of children. Infant and child mortality and morbidity, which had been steadily declining in the 1980's, have been on the rise.

The negative impact of the country's economic crisis has resulted in a decreased quality of health care services, and a rise in poverty-related morbidity and mortality. Malnutrition: during the civil war in the 1980s and in the early '90s malnutrition was a significant problem in the whole country. A 1994 study among primary school children in Paramaribo found 10% of the children with a weight-for-age below the third percentile. Hospitalization of 0-5's due to malnutrition sharply increased from 33 in 1988 to 185 in 1994. Around 50% of the hospitalized children were in the age group 0-1. Currently there is some evidence that malnutrition is slowly decreasing. In 1996 hospitalization was 147 and in 1998 136. The Ministry of Health is aggressively promoting breast feeding up to two years, appropriate weaning practices, and hygiene and sanitation for the prevention of diarrhea and malnutrition.

Infant and child mortality: Mortality rates for 0-1 remained between 22-23 between 1988 and 1994, and dropped to 15.3 in 1995 and 16.4 in 1996. Perinatal mortality, gastroenteritis, congenital disorders, and malnutrition are leading causes of infant mortality. The drop in infant mortality rate is probably due to underreporting. In order to increase the reliability of infant mortality data, the Bureau of Public Health (BOG) is currently conducting a perinatal mortality survey 1996 - 1999 and training of staff to improve the national reporting system. Mortality rates for 1-4 remained at 21 over the past decade. Leading causes of death for this age group are gastroenteritis, accidents and trauma.

Vaccination coverage: until the civil war, Suriname had very high immunization coverage of over 95%. Due to the civil war and the ensuing destruction of infrastructure, immunization coverage dropped significantly to 70% in 1994. Over the past years the Government has made an intensive effort to increase immunization coverage through community education and mass immunization campaigns. Current national rates are OPV3 + DPT3 90% and MMR 80%. The situation in the interior remains a concern, with rates of around 60% for OPV3 + DPT3, which the Medical Mission is addressing through mass immunization campaigns and rehabilitation of the cold chain.

Malaria: during the civil war the incidence of malaria sharply increased since the interior was not accessible and the malaria prevention programme was not operating. Reportedly 25% of children and 11% of pregnant women in the district of Sipaliwini have malaria (Medical Mission, 1998). As a response to the critical state of the malaria epidemic in Suriname, the Government appointed a Malaria Committee to develop an action plan. In this context a crash programme was developed and implemented during 1997 – 1999, which included targeted spraying, community education and cleaning campaigns, and impregnated bednet campaigns. A national Malaria Institute was also established. Full implementation of the action plan and functioning of the Malaria institute are being hampered by lack of funds, yet there is some evidence of reduction of malaria incidence. Positive smears fell 25% between 1996 and 1998 (Medical Mission, 1999). With support from the Government (BOG) and donors such as UNICEF, the Medical Mission continues to implement community awareness and impregnated bednet activities.

Outline any measures taken and/or envisaged to improve the health of children (especially those living in the interior) and guarantee their right to access adequate health services.

The lack of significant improvement and in some cases, deterioration of infant and child survival indicators in Suriname prompted the Planning Division of the Ministry of Health to initiate broad-based consultations with relevant groups in the community. With UNICEF support two policy meetings were held with pediatricians, gynaecologists, dietitians and public health specialists to review and discuss maternal and child health, in particular, prenatal, perinatal and newborn care. The results indicated that there is a lack of standardization and planning in the provided care.

It was recommended to have at least four more planning workshops with pediatricians, gynaecologists, midwives, and other relevant groups in 2000 to design a comprehensive integrated plan of action for the improvement of maternal and child care. In 1999 the Epidemiology Division of the Bureau of Public Health initiated a perinatal mortality survey to review all perinatal deaths from 1995 to 1998 and to develop protocols for appropriate reporting. The survey results will be available in June 2000. The Health Education Division of the Bureau of Public Health developed radio and TV messages regarding nutrition, growth and development, diarrhea and safe practices, which are currently being aired.

Subsidized by the Government, the Medical Mission provides primary health care for the children in the interior. In order to improve access to services the Government is preparing to build an additional 21 health centers and auxiliaries in upcoming years, financed by the Islamic Development Bank. The locations have been identified by the Ministry of Regional Development in close collaboration with the Medical Mission.

13. Please describe the measures taken and/or foreseen, to guarantee and protect the rights of children with disabilities.

The Ministry for Social Services and Housing is mandated to provide and coordinate assistance to persons with disabilities. To this end, a National Advisory Board (NARG) was established in 1981 by Presidential Decree # 7541, with representatives from the Ministries of Education, Social Services and Housing, and Labour, as well as NGOs and the private sector. The Advisory board has the task to advise the Government regarding legislation, subvention, permits, care and other issues related to people with disabilities.

With regards to direct support for children with disabilities, the Ministry for Social Services and Housing has provided subventions to somewhat 8 institutions providing care to children with disabilities.

The total amount allocated for 1997: US\$49,162,56
for 1998: US\$57,672,41 and for 1999: US\$ 45,025,13.

Further, please provide additional information, including statistical data, on children with disabilities including their access to education and vocational training and highlight any recent initiatives taken to increase and improve facilities for their rehabilitation.

Currently there is no national data available on the nature and frequency of children with disabilities in Suriname. The CNSP (Children in Need of Special Protection) data system, currently being developed by the Ministry of Social Services and Housing is anticipated to generate reliable data in the future.

A 1999 situational analysis of children with disabilities in the Caribbean prepared for UNICEF, CAO, identified 39 children in Suriname with disabilities in a sample population of 3095 (1.3%).

The major disability was difficulty in learning, followed by difficulty with speech and hearing. Significantly more males than females were identified, and the Ethnic backgrounds were predominantly Blacks and Indians.

While there is no policy document for special education, the Ministry of Education is providing learning experiences for over 1800 children with disabilities, in collaboration with the private sector, on the levels of Basic Special Education, Secondary Special Education, and vocational training.

The Medical Pedagogical Bureau (MOB) at the Ministry of Health with a staff of physicians, psychologists and social workers provides services for assessment and placement of children in special schools and services, guidance, screening, early detection and care for children.

In this connection, please describe the measures taken and/or envisaged to increase the level of resources allocated for programmes for children with disabilities and to address the inadequacies identified in paragraph 96 of the report. Additionally, please also describe the activities undertaken to facilitate an increase in public awareness regarding persons with disabilities.

In collaboration with the Medical Pedagogical Bureau and the Association of Private Social Institutions, public awareness activities will be carried out through this year with financial support from UNICEF. There will be a survey on nature of disabilities and care need & development of database. Plans are made for vocational training for the disabled.

The World Health Organization set the International Classification of Impairments, Disabilities & Handicaps. To improve the quality of services for the disabled, a curriculum is developed for educating and training of social workers and volunteers to better meet the needs of persons with disabilities.

14. Please provide additional information, including statistical data, on adolescent health, including sexually transmitted diseases (STDs), HIV/AIDS, early pregnancy, early and arranged marriages, drug and alcohol abuse, violence, suicide and mental health concerns.

Accidents, trauma and suicide are leading causes of death for adolescents. In general there is a lack of data regarding adolescent health. A situation analysis was performed by the Basic Life Skills Committee in 1997, which indicates that youth prostitution, youth crime, and the use of alcohol and drugs among youth are increasing. In 2000 the Basic Life Skills Committee is scheduled to implement a national adolescent health and needs assessment, which will provide some much needed baseline data for the development of appropriate interventions.

STDs

In general the reported incidence of STDs has sharply increased over the past decade. Between 1989 and 1995 the diagnosed incidence of Syphilis doubled from 105 to 225, while gonorrhea increased from 1601 to 2072. This increase in reported cases can probably partially be attributed to increased awareness and care-seeking behavior regarding STDs caused by community education and awareness campaigns implemented by the Ministry of Health and NGOs.

While the data of the Ministry of Health does not suggest an increase in the prevalence of STDs among youth, the persisting high prevalence of teenage pregnancy and reported low incidence of condom use suggest prevalence of STDs among youth. With the aim to develop comprehensive STD/HIV prevention efforts, the Government has merged the STD program and the National AIDS programme in 1997. Multiple community awareness and prevention campaigns targeting youth have been implemented during the past years.

HIV/AIDS

In 1997 there were no HIV + tests in the age group 5-14 and 4 in the age group 15-17. Disaggregated data for 1998 and 1999 data is not available.

Early pregnancy

Around 17% of the annual number of births are out of teenage mothers. A 1992 survey reported contraceptives use among teenage women of less than 30%.

Arranged marriages

There is no data available regarding arranged marriages. However, it is still common practice in rural areas and the interior that girls marry at young age (14-19 yrs). It is not clear which percentage of these unions are by choice or arranged by parents. Due to cultural beliefs and customs, and the lack of education facilities, early marriage and pregnancy are common practice in these areas.

Drug and alcohol abuse

There is no data available regarding drug and alcohol abuse among youth. A situation analysis conducted by the Basic Life Skills Committee indicates that young people have the impression that drug and alcohol abuse in their age group is increasing. The basic Life Skills Committee is preparing a Needs Assessment and Adolescent Health Survey for this year, which will provide some data in this regard.

Violence

Data provided by the Police and Ministry of Justice indicate that violence among youth is increasing. Between 1997 and 1999 around 300 young people were reportedly detained by the police for acts of violence. The police also report a coarsening of violent acts committed by youth and an increase in the use of knives and firearms by youth.

Suicide

Suicide remains the second leading cause of death among children 5-14 years old. In 1992-1994 a total of 52 deaths (30 boys and 22 girls) were reported. In 1995 and 1996 no (Zero) incidents of suicide were reported. There is no data available after 1996.

Mental health concerns

The increasing trends in violence, suicide and substance abuse indicate that there is a need for concern regarding the mental health of youth in Suriname. The high drop-out, repetition and failure rates in the education system and the persisting economic crisis, compounds these concerns.

These concerns contributed to the wholehearted support for the Basic Life Skills Programme by the Government, as described below. The Government recognizes that the limited financial resources and the bureaucracy compromise the full potential of this programme. However, the Government will continue to support the Basic Life Skills Programme and other programmes contributing to the health and wellness of youth in Suriname.

Please identify the policies and programmes implemented and/or foreseen to educate adolescents and promote public awareness about adolescent health, including reproductive health concerns, and to provide support, treatment and/or care for adolescents faced with these concerns. In this context, please provide specific information on the introduction of the CARICOM Health and Family Life Education Programme (HFLE) within the educational system.

In 1996 the CARICOM Multi-Agency HFLE programme was initiated. The representatives of Suriname, i.e. the Ministers of Education and Health endorsed Suriname's participation in this project. In March 1997 the Minister of Education established the Basic Life Skills Committee with the responsibility to coordinate the national implementation of the HFLE project. A part-time coordinator for the BLSC project was appointed by the Ministry as well as a full-time assistant.

Between 1997 and 1999 the school-based activities of the Basic Life Skills Programme were significantly constrained by the frequent school closures caused by strikes and public unrest. Progress was made, however, in public awareness, training and extension of the programme in all sectors. A draft Basic Life Skills policy document and action plan were prepared and presented to policy makers from key Ministries. A total of 306 primary, secondary and tertiary teachers from Paramaribo, Nickerie and Marowijne participated in values clarification workshops which were implemented with support from UNICEF and PAHO. The training was very well received and as a result several schools have initiated follow-up values clarification activities for teachers and students.

Using the pyramid HFLE training model, a team of 8 representatives from the Ministries of Education, Health and Social Affairs participated in a two-week sub-regional training in Guyana. Upon return, the participants formed a BLS Country Team and initiated the development and implementation of activities towards integration of BLS principles and material in the functioning of their respective Ministries. Planned activities include BLS orientation and information meetings at the various Ministries and training for key divisions in the Ministries. The Basic Life Skills Committee was strengthened through the provision of office furniture and a computer.

EDUCATION, LEISURE AND CULTURAL ACTIVITIES

(Arts. 28, 29 and 31 of the Convention)

15. Please provide additional information and disaggregated statistical data, on the general status of education, including student teacher ratio, enrollment, truancy, repetition and dropout rates as well as the level of financial resources allocated in this regard.

Enrollment: The gross enrollment is estimated at 78% of all children; around 80% for 1-4 years, 75% for grade 1-4, 65% for grade 6.

Student – teacher ratio: the official teacher-student ratio was estimated at 1:22 at primary level and 1;12 at junior and secondary level. However, due to the high number of ghost teachers and absent teachers, actual class sizes are higher.

Truancy: there is no official data regarding truancy rates.

Repetition and drop-out rates: the estimated repetition rates for grades 1-4 = 25%, over 44% of primary school children do not complete primary education in the stipulated 6 years; drop-out rates: grade 1-4: 4.5%, grades 5-6: 12.5% & 22.4%.

Financial resources: Suriname is devoting 5% of its GNP (the largest share of all Caribbean and Latin American countries- 1996 IDB report) to education; 30% of all civil servants on the government's payroll are working in the education sector.

Further, please outline the measures taken to ensure equal opportunities and access at all levels of the system, for children residing in all regions of the country, especially the interior.

The government recognizes that access to all levels of education is not equal for all children. In particular the children in the interior have limited access since the villages are geographically widespread which makes it difficult to provide all levels of educational services with reasonable children. Currently the government provides limited boarding and financial support for children from the interior to reside in the capital for educational purposes. The Government has recently initiated an Islamic Development Bank- supported project to build 3 education centers in strategic locations in the interior providing all levels of education as well as vocational training opportunities. These centers will include boarding facilities, making it possible for children to travel to school on daily basis, mid-week basis or longer, depending on the distances.

Additionally, please provide information on the methods of teaching; the availability of classrooms and facilities; as well as the availability of qualified teachers, relevant learning materials and other resources.

It can be concluded that the methods of teaching and the curricula are outdated, and that there is a lack of teaching materials and other resources. Many school buildings are not in optimal condition and need repair. Contributing factors are the lack of financial resources, inefficient use of available resources, for instance 80% of the education budget is spent on salaries leaving little room for improvement and rehabilitation, and decreasing motivation of staff. In the government Multi Annual Development Plan the following measures are mentioned for improvement: a) increase allocation and efficient use of resources; b) allocate more resources for higher education at technical and technological levels and explore new ways of cost-recovery and cost-sharing; c) promote systems for development and application of technology; d) Streamline education programs and curricula according to human resource needs in the production sectors.

Over the past few years implementation of these measures has been compromised by frequent social disturbances, political instability and soaring inflation.

The government is currently preparing a national education congress to achieve national consensus and commitment towards restructuring and improvement of the education sector.

Please also indicate what measures have been taken or are envisaged to facilitate the inclusion of Sranan Tongo and/or other local languages into the school curricula, particularly in light of the high rate of repetition at the lower primary levels, referred to in paragraph 130 of the report.

Suriname is a small but heterogeneous society. Besides the indigenous people and the descendants of the colonists and slaves, there are significant groups of Chinese, Indians, and Javanese. The educational system therefore has the complex task of accommodating pupils who have different mother - tongues and widely divergent social and cultural backgrounds.

In 1999 the Ministry of Education commissioned the NGO "Kenki Skoro" to conduct an assessment of the feasibility of the use of the mother - tongue in education in particular with regards to the Bush Negroes in the interior. In these communities the Saramaccan and Aucan (Ndyuka) languages are spoken, while schooling is entirely in Dutch. Conclusions and recommendations include:

- the current "immersion" model of Dutch instruction has contributed to a high rate of drop-outs and repetition;
- the current system does not recognize or include the child's own language and culture;
- There is a need for a pilot to assess the feasibility of introduction of the Mother-tongue approach in particular in the interior of Suriname.

The Government will include the outcome of this study in the National Education Congress to be held in December 2000, to reach national consensus regarding the issue.

Finally, with reference to information provided in paragraph 135 of the report, please provide additional information on the programme for teenage mothers to complete their education and indicate whether efforts have been made to expand the programme to include all regions of the country.

Even though the Ministry of Education never had an official rule or policy to restrict pregnant girls from visiting school, in practice school administrators, teachers and parents were discouraging pregnant girls or teenage mothers to continue with school. However, dropping out of school because of pregnancy has reduced over the past years. A number of junior and senior secondary schools now allow pregnant teenagers and teenage mothers to continue with school, in particular when students are in exam classes.

The Youth Department of the Ministry of Education started a teenage-mother project in 1989 to create conditions for teenage mothers to finish their education, learn job-skills and parenting skills. The program includes reproductive health education and building self-esteem of teenage mothers. The program has grown and evolved into an independent program implemented in collaboration with the Young Women's Network. Currently the full programme is only available in the coastal area of Suriname. There is a need to develop appropriate and comprehensive programs for teenage mothers in the rural areas and interior of Suriname.

SPECIAL PROTECTION MEASURES

(Arts. 22, 30 and 32-40 of the Convention)

16. In light of articles 37, 40 and 39 of the Convention, concerning the rights of children alleged as, accused of, or recognized as having infringed the penal law, please provide additional information on:

a) the use of arrest, detention or imprisonment of a child as a measure of last resort and for the shortest period of time;

The pressure means used during the criminal process with regard to persons are the same for both adults and youngsters. Here the process is strongly inquisitory. The terms of the pressure means to be used are included in the Law.

Apprehensions which do not take place in the act, can be done exclusively by the investigators and Judicial Authorities (Article 44 Code of Criminal Procedure). The place for the custody of youngsters is the Police Office for Youth Affairs. In practice it happens too that youngsters are kept in other Police stations.

Arrests of children outside Paramaribo mostly take place by a Policeman of the Police station in the district. The investigators are allowed to keep the child for a hearing (interrogation) 6 hours at the most (Article 53, subsection 2 Criminal Procedure). Within these 6 hours the Police take the decision to either let the youngster free or to detain him. This detention which takes place by an Inspector of Police of the Youth Affairs Division (Deputy Public Prosecutor) can only take place in cases in which according to the Law preliminary detention is possible.

The Public prosecutor in charge of Youth Affairs is mostly consulted by the Police with the investigation; mostly on the question if one should either proceed to detention or not.

If there is no reason to keep the youngster any longer, then he is set free. If not, then arraignment takes place at the Public Prosecution. The Public Prosecutor decides whether or not detention will be extended. The Articles 49/50 of the Code of Criminal Procedure stipulate that detention can be extended by 30 days at the most.

The youngster who has been detained can during the period of detention request his release with the Examining Magistrate pursuant to Article 54a of the Code of Criminal Procedure. This request is granted if the Examining magistrate judges the detention unjust.

In practice this request is sporadically made by a youngster or his Lawyer. If the Public Prosecutor deems it necessary that the youngster be detained longer, mostly if the investigation is not completed yet, the Public Prosecution will ask the Examining Magistrate to issue an "order for detention".

The Public Prosecution can claim a judicial preliminary hearing with the Examining Magistrate to continue the investigation in order to clarify the case. This judicial preliminary hearing does not take place in all cases of young persons. Detaining lasts 30 days at the most (Article 57 Code of Criminal Procedure). This term of detention can be extended by 3 times thirty days at the most (extension of detention) by virtue of Article 60a Code of Criminal Procedure. In no case can the youngster be kept in preliminary detention longer than 120 days during the time preceding the session (Article 60a subsection 1 Code of Criminal Procedure). An exception to this Article is contained in Article 60a subsection 2 Code of Criminal Procedure, namely in the cases when a judicial preliminary hearing had been claimed and particular circumstances occur which have a bearing on the case itself, when the term of 120 days of preliminary detention can be extended to 2 times 30 days at the most. This legal terms are observed correctly when it concerns young persons, which appears from practice. The Examining Magistrate can set the youngster free if there is insufficient proof.

The Examining Magistrate assigns a Lawyer to the youngster too who appears before him and has no Lawyer (Article 405 Code of Criminal Procedure). The Judge makes this request for assignment of a counselor through the Social Legal Care Service.

With regard to the prosecution of young persons between 16 and 18, the Public Prosecutor takes the decision by virtue of Article 58 of the Penal code to further prosecuting them as youngsters or adults (demanding a measure or penalty). Finally the Judge will determine at the session if he is going to sentence the 16 or 18- year-old youngster as a young person or as an adult. After arraignment , if the Public Prosecution decides to try, the Judicial Child Protection Service starts with the drafting of a pre- report for the Judge as a result of an investigation. A critical marginal note hereby is that this report is first being prepared for the Judge, while no report on the environment is being drafted for the Public Prosecution.

- b) *the possibility to have prompt access to legal or other appropriate assistance, as well as for challenging the legality of the deprivation of liberty before a court or other competent, independent and impartial authority, and of having a prompt decision thereon;***

A suspect can choose a lawyer. Further there is a possibility for an assigned lawyer, through the Bureau of Legal Assistance if the suspect cannot pay a lawyer.

According to Article 405 of the Code of Criminal Procedure, a lawyer is being assigned to any minor suspect against whom an order for custody is granted or who in the judicial preliminary hearing (by the Examining Magistrate) is heard before reaching the age of 18.

The Examining Magistrate has to point out to the Bureau of Legal Assistance that the assignment must take place.

Article 415 of the Code of Criminal Procedure stipulates that if a youngster of under 16 appears before the Judge without a Lawyer, receives a Lawyer at the session, assigned by the Judge. In the event that no assignment or timely assignment of a Lawyer has taken place, the parents, according to Article 38 shall be entitled to having the right of appeal.

The Bureau of legal Assistance has the task to assign of a Lawyer to young persons. The procedure is that the Police (Notification Service) must ask for the assignment of a Lawyer immediately after apprehension of a youngster through a B- form.

Next, the Bureau of Legal Assistance carries out an investigation regarding assets (of the youngster and the family where the youngster comes from). A Lawyer is assigned to social weak persons (so immediately after apprehension).

- c) *the measures taken to ensure that legal proceedings are conducted in a language which is understood by the child or that interpreters are provided by the State to facilitate the process in this regard;***

The Judge is obliged to send for an interpreter if the youngster does not understand or speak the language (Dutch) used at the sitting of the Court (Article 291/292 Code of Criminal Procedure).

The interpreter must have reached the age of 18.

The Judge also meets the youngster by speaking Sranan Tongo (the unofficial language) when necessary. The Judge also often explains notions to the young person in order to clarify.

- d) *measures taken to protect the privacy of children in conflict with the law.***

Juvenile cases take place in camera (Article 419 of the Code Criminal Procedure).

When youth until the age of 16 years old are tried, this takes place in camera. This is the same when persons of 16- 18 years of age are tried as youth.

In case persons of 16- 18 are tried as adults, these cases are public, unless the Judge deems this unnecessary (mostly in cases of indecency offences).

When the media attend the court sessions, they receive a guideline from the Judge with the instruction that names must not be stated in reports. In case such a rule is violated, the media is addressed on this matter. It does not often happen that the press publishes the names of sentenced youngsters. No sanctions have been arranged in case of violation of the guidelines.

e) *the measures taken to ensure contact between the child and his/her family;*

Although visitation rights especially for the children are not explicitly laid down in the Law, the rules for visitation are from 10 – 12 on Sunday's and festive days and birthdays.

f) *how the conditions of children in detention are monitored;*

The Judicial Child Protection of the Ministry of Justice and Police visit, counsels and advise the convict and drafts a pre-reports for the Judge as a result of an investigation.

g) *the establishment of an independent complaints mechanism to address issues of ill-treatment and violation of the rights of children in conflict with the law;*

There is no explicit independent mechanism for this cause.

h) *the accessibility of education, health and social services;*

Medical provisions

There is a physician who visits the Institution once a week (Wednesday). For emergency cases a physician outside the Institution is consulted. In the site of the Central Penitentiary Institution there is an outpatients' clinic too where nurses are present daily in order to offer help.

The right to education

Hardly any education was provided in the Juvenile Reformatory from 1994- 1996. Until October 1999, 2 teachers, among whom a retired teacher, were attached to the Institution. Since January 2000, 5 teachers have been attached to the Institution in order to provide education.

2 teachers provide primary education, one of them also provides education at Junior Secondary General education level.

2 teachers provide technical education.

1 teacher provides B.O (Special) education at Basic Education level.

The young persons who, after an evaluation is considered, participate in the exams from the Ministry of Education through a school in the neighbourhood.

Young persons who follow Junior Secondary General Education can be given the opportunity to follow education under certain conditions (most dependent on the behavior of the young person). Mostly this is done in the period of "external activities".

Other provisions/material conditions

The youngsters do not wear uniform. There is a joint radio- and television set in the recreation room. In case of good behavior it is allowed to have a radio in ones room. Religious organizations frequently visit the Institution.

Welfare workers visit the Institution 2 times a week. Their activities consist mainly of having group- and individual talks with youngsters. There is no fixed activity programme, mainly due to lack of resources. Educational activities such as lectures, training and day trips are seldom organized. As a result youngsters spend most of their time doing nothing. It is necessary to develop low-cost educational and recreational activities for youngsters in detention.

There is no special guidance for repeat offenders. The guidance is the same as the one for first offenders. This can be considered a serious shortcoming. The welfare workers visit the Institution. Further, Penitentiary Government Officials are responsible for the young persons. They followed a general training for Penitentiary Government Officials and have taken a refreshment course after that, but they have not enjoyed a specialization training with regard to young persons.

There is regular contact between the welfare workers and the Management of the Juvenile reformatory. The re- educational character however, is not evident from the activities undertaken in the field.

i) services for the recovery and rehabilitation of children alleged as, accused of or recognized as having infringed the penal law and their effectiveness;

At present a pilot project is being carried out in the Juvenile Reformatory by the Judicial Child Protection. This project is intended for young persons who are due to be discharged from the Youth Custody Center and youngsters who have been in the Institution for two to two and a half years and who, in consultation with the Public Prosecutor are considered for early release.

This pilot project emphasizes re-socialization. The programme starts 6 weeks to 3 months before release. The candidate is assigned to a social worker for intensive observation and guidance. Key aspects are assessments of the level of self-confidence, the sense of responsibility and the fears of the youngsters. The youngsters must carry out external activities as a preparation for the release. It should be observed that the young persons carry out activities only at Government offices. As a result of this, re-socialization does not really take place. There is a need for adaptation and expansion of this pilot project to include more forms of re-socialization aimed at recreation, vocational training and after care are dealt with and optimal guidance of the social workers.

j) the measures taken and/or foreseen to ensure that juvenile justice is available and accessible to all children.

The Code of Criminal Procedure contains regulations on the juvenile justice system (arts 403-428).

17. Please provide additional information on the sexual abuse and exploitation of children, child prostitution, child pornography and sale and trafficking of children for commercial sexual exploitation. Additionally, please highlight the measures taken and/or foreseen to prevent and combat these concerns.

There is no reliable data regarding sexual exploitation of children, child prostitution, child pornography and sale and trafficking of children for commercial sexual exploitation. Informal estimates are that child pornography and child prostitution are on the increase. There have been some high-profile media cases of alleged commercial sexual exploitation of children.

There is a need for systematic documentation and generation of data in this respect. With Government endorsement the "NGO Maxi Linder" received UNICEF support to conduct an assessment of sexual exploitation of children. The study will be completed this year (2000). With the institutionalization of the CNSP system the Government is also anticipating to generate data regarding these issues. Through participation in the Domestic Abuse Prevention Network, the Ministry for Social Services and Housing is also anticipating to develop appropriate data collection and intervention measures regarding these issues.

18. In light of the high and increasing number of school dropouts as well as the increasing number of children living and/or working on the streets, please provide additional information, including statistical data, on the situation of child labour and economic exploitation and outline the measures taken and/or envisaged to address this growing concern.

There is no national data to support the claim of increasing numbers of children living and/or working on the street. A child labour survey conducted by the Ministry of Labour in 1998 reported that 3.2% of the children in the sample had ever been involved in child labour. Current involvement in child labour activities was 2%. The most prevalent activity was helping in the field (agriculture), followed by caring for younger siblings. Around 80% of the children reported doing this "to help the mother/family". This suggests that the economic crisis in Suriname is forcing families to engage children in economic activities to support the family unit.

Currently the Government has no active approach towards reduction or prevention of child labour. In the past the Youth Police used to remove children under the age of 12 who were involved in commercial activities from the street. However, this was not

a formal policy. The Government recognizes the need to initiate activities to prevent and reduce child labour.

Additionally, please indicate whether the State Party envisages becoming a party to ILO Conventions No. 138 concerning the minimum age for admission to employment and No. 182 concerning the worst forms of child labour.

Convention no. 138: there is need to evaluate the conditions in the Surinamese Labour act and the practical situation in relation to the Convention no. 138.

Convention no. 182: there are no obstacles to ratify this convention; however there has never been a forum at which this convention was presented for ratification. Whenever this moment occurs, Suriname will not hesitate to ratify.

19. Please provide additional information on the legal and other measures taken and/or envisaged to guarantee the protection of children against drug abuse as well as the use of children in the production and/or trafficking of illicit drugs.

The Bureau for Alcohol and Drugs (BAD) from the Ministry of Health provides substance abuse prevention and treatment services to the community. This agency implements specific activities in schools and through the media and community centers aimed at educating and sensitizing youth regarding substance abuse. In the past years effective peer education programmes have been implemented in several districts. The Basic Life Skills Programme also addresses substance abuse and other health-risk issues, and aims to equip young people with the skills necessary to make healthy choices.

The use of children in the production and/or trafficking of illicit drugs: deliberate provocation to commit an offense has been made punishable according to Article 72 Subsection 2 of the Penal Code. Thus the person who uses a child in the production and/or trafficking of illicit drugs is punishable by law.

A special article dealing with provocation of children has not been included in the Law. This has not been included as an aggravation of penalty.

In light of article 39, please also outline the programmes implemented or envisaged to facilitate the social and psychological rehabilitation of child victims of drug abuse.

As mentioned earlier, the Bureau for Alcohol and Drugs provides counseling and treatment programmes for victims of substance abuse and their families.

Activities for the youth include school visit with the purpose of information and education on drug prevention.

20. Please provide additional information, including statistical data, on the situation of children belonging to indigenous groups and highlight the measures taken and/or envisaged to facilitate their adequate access to education, health and other social services; to promote the preservation of their language, religion and culture; and to ensure the full realization of their rights as guaranteed under the Convention.

