



Universal Periodic Review Suriname

Submission to the Human Rights Council for the 3rd Cycle of the Universal Periodic Review
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Submission by Stichting PROJEKTA

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Stichting PROJEKTA (PROJEKTA) is a civil society organisation bringing a human rights based approach into practice in her programs. We work on the interconnection between human rights, democracy and good governance, with a specific focus on gender equality and women's rights. PROJEKTA is in consultative status with the ECOSOC.

Introduction

1. Suriname has made some progress in implementing the recommendations from the previous 2nd UPR cycle in 2016. However, there is still much to be accomplished. One human right issue that cannot be addressed adequately by a thematic analysis is the huge discrepancy in quality and availability of services, and of policy attention between urban areas and populations and the hinterland, where mostly Indigenous and Tribal People reside. This results in continued exacerbation of human rights infringements in areas such as education, health, environment, access to water and sanitation.

National Human Rights Institution (NHRI)

2. In 2016 Suriname received UPR recommendations to establish a national independent human rights institution in accordance with the Paris Principles. (UPR of Suriname – 2nd Cycle, Recommendations 133.27, 133.28, 133.29, 133.30, 133.31, 133.32, 133.33, 133.34, 133.35, 135.24 and 135.25 – sources of position A/HRS/33/4, paragraphs 4 and 6).
3. In 2016, the Government of Suriname formally ‘launched’ the institute, with the intention of achieving accreditation within 3 years. However, there was no mention at all of the Human Rights Institute included in the Multi-Annual Development Plan 2017 – 2021, the legal planning and policy document of the country.
4. From 2017 – 2021 almost the exact same wording was used every year for a policy measure in Suriname’s annual budgets: “The Human Rights Bureau will be transformed into a Human Rights Institute with a broader mandate, more authority and a better structure. This according to the Paris Principles.”ⁱ
5. In a press release for Human Rights Dayⁱⁱ 2018, the Ministry of Justice and Police stated that they were working on the conditions needed for the establishment of the Human Rights Institute.
6. However, as far as can be ascertained from publicly accessible information, no concrete milestones have been achieved in the practical establishment of the Institute.
7. Recommendations for Suriname
 - a) The establishment and operationalization of the national Human Rights Institute in accordance with the Paris principles, based on a broad dialogue and in partnership with civil society (in particular human rights and human rights based organizations).

Freedom of opinion and expression

Freedom of Information Act

8. In Suriname’s 2nd UPR cycle, Suriname received and noted the recommendation to decriminalize defamation and place it within the civil code in accordance with international standards, and adopt a freedom of information law in line with international standards (UPR of Suriname – 2nd Cycle, Recommendation 135.40 – source of position A/HRC/33/4/Add.1 - Para. 8).

9. Suriname still has no Freedom of Information Law. This is especially challenging for journalists, as their access to senior government officials has been significantly reduced in the past 5 years. Government communication has become more centralized, under a central communication office.
10. On various occasionsⁱⁱⁱ, journalists have indicated that they do not get information that they request from this central communications office, or that Ministries refer to the central communication office when asked questions about sector-specific issues. Various news outlets have reported being boycotted from Government press conference due to perceived misreporting. Also, in the press conferences themselves, questions by journalists often remain unanswered, and journalists do not receive an opportunity for follow-up questions.
11. In August 2017, the Citizens' Initiative for Participation & Good produced a short advocacy video, calling for the adoption of a Freedom of Information Act^{iv}. Government-owned television station Surinaamse Televisie Stichting (STVS) refused to air this paid TV-ad, claiming that the TV ad was therefore defamatory to the President of the country (who was not mentioned or show at all in the video spot)^v.
12. In December 2020, the Surinamese Association of Journalists published a press release raising the alarm about the spate of recent incidents where they were prevented from doing their job. The most recent incident was the traditional 'Seniors Day' organized by the Cabinet of the President under supervision by the First Lady. Journalists were removed from the premises and others were blocked from entering. In the previous week, journalists were also prohibited from reporting on an official visit by the First Lady to the Nickerie-district.
13. Recommendations for Suriname
 - a) To discuss and adopt a Freedom of Information Act as soon as possible.
 - b) Halt the continued centralization of government information and the prevention of journalists from reporting public events.

Freedom of opinion and expression (decriminalizing defamation)

14. In Suriname's 2nd UPR cycle, Suriname received and noted the recommendation to decriminalize defamation and place it within the civil code in accordance with international standards, and adopt a freedom of information law in line with international standards (UPR of Suriname – 2nd Cycle, Recommendation 135.40 – source of position A/HRC/33/4/Add.1 - Para. 8).
15. Although there are no formal restrictions on the freedom of opinion and expression, there is often informal pushback for citizens and journalists in their freedom of expression. According to the US State Department 2019 Human Rights Report^{vi}, agents of the government used state media, particularly the state-run radio station, as a tool to criticize and attack those with views opposing the government.
16. A new law in 'Electronic Legal Traffic' (Electronisch Rechtsverkeer) passed in 2018, allowing slander, libel and defamation occurring online to also fall under existing criminal law.
17. In a November 2020 public panel discussion, journalist Ivan Cairo reiterated that journalists are often dependent on informal sources for their information, as they are most often told that documents and information are 'confidential'.
18. Since 2019, there has been increased use of the laws against slander, libel and defamation by politicians against other politicians and individual citizens. Examples: In January 2020, Radio presenter Baldewsingh was arrested for defamation of the President, due to a facebook post,

criticizing events that had occurred in the court case against former military leader Desi Bouterse, who was also president in 2020; In February 2020, the director of the National Pension Fund filed a police complaint against a facebook page for spreading alleged fake news. In May 2020 the grandchild of the President filed a police complaint for slander and libel against a politician from another party, who accused him of conducting suspicious activity in the location where voting ballots were being counted and stored. In June 2020, a Government Minister filed a police complaint against politician L. Brunswijk for slander and libel, for a facebook post in which Brunswijk claimed that the Minister had transferred government property to party loyalists and friends. In September 2020, citizen Alessandro V was arrested for defamation of the President- for using swear words in describing the president. In October 2020, politician R. Parmessar filed a police complaint against unknown persons for slander and libel via social media.

19. Recommendation to the State

- a) To decriminalize defamation and place it within the civil code in accordance with international standards.
- b) To cease the intimidation of journalists.

Human rights and toxic wastes

- 20. In Suriname's 2nd UPR cycle, Suriname received and supported the recommendation to take the necessary measures to combat land and water pollution caused by dangerous industrial waste (UPR of Suriname - 2nd Cycle, Recommendation 135.43 - source of position: A/HRC/33/4/Add.1 - Para. 6).
- 21. In several publications (2020)^{vii viii} on the MekiTamara Study, doctors and scientists conclude that the vast majority of women living in the interior of Suriname had hair mercury levels well above the international accepted action levels. Young women more often delivered prematurely. Their results showed a increased risk for high mercury levels among indigenous women. Ouboter et al^{ix} report high estimated levels of mercury in the blood of participants from Poesoegroenoe, Njoeng Jacobkondre, Kwakoe Gron, Pikin Saron and Brownsweeg. This includes women from villages well upstream of artisanal and small-scale gold mining (ASGM) activities. Since residents in these areas rely heavily on local fish, this is likely the source of their exposure to mercury. The levels in hair are similar to those seen in women from longitudinal studies in other countries finding neurological impairments in children exposed pre- and postnatal.
- 22. On 8 March 2018, the National Assembly of Suriname ratified the Minamata Convention. Following the ratification, several national projects are being carried out to phase-out mercury, among which the programme 'Improving Environmental Management in the Mining Sector of Suriname, with Emphasis on ASGM' which started in May 2018.
- 23. On 7 May 2020, the Environmental Framework Law (*Milieu Raamwet*, SB 2020 No.97) was passed. It provides the legal framework for environmental and social impact assessments (ESIA) and for handling toxic wastes.
- 24. In November 2020, Mulokot Foundation reported that they had to resort to develop a fish farming project, in order to provide the indigenous village of Kamemhakan (Sipaliwini) with a safe source of protein.

25. Recommendations for Suriname:

- a) Prevent exposure to pollution and toxic chemicals as part of Suriname's obligation to protect its citizens, and guarantee an effective remedy for exposure and environmental contamination.
- b) Ensure the special protection to women and girls of reproductive age, reflecting this in the Environmental Framework Law and the related decrees, and other laws and policies.
- c) Consider the best interests of the child and vulnerable groups such as indigenous and tribal people as a priority when designing, implementing and monitoring public health, environmental, consumer and labor laws and policies.
- d) Expedite the process of development and implementation of laws and regulations related to the Environmental Framework Law and the ratification of the Minamata Convention.
- e) Provide budget for research in the communities to diagnose mercury-related health issues.
- f) Compensate victims of mercury pollution.
- g) Development of a multisectoral approach on the ban of mercury use and mercury occurrences/presence, translated in national responsibilities, policies and plans, and district plans (decentralization)
- h) Ensure the availability of and access to adequate and age-appropriate and cultural-appropriate information on children's and human rights and toxics.

Child protection

26. At the 2016 UPR Suriname received recommendations to strengthen and expands protections and programmes addressing gender-based violence and sexual exploitation of children, including victims of trafficking, by ensuring that survivors have access to shelter, as well as to justice, health-care services, and support services . Source of position: A/HRC/33/4 - Para. 133 & A/HRC/33/4/Add.1 - Para. 4
27. However, violence against children remains a huge human right issue in Suriname, as indicated by the fact that the Youth Police registered 64 cases of physical abuse and 280 cases of sexual abuse in 2020.
28. According to the Suriname Multiple Indicator Cluster Survey (MICS) 2018, the incidence of violent child discipline is very high in Suriname: 88 % of children aged 2-14 years were subjected to at least one form of violent psychological or physical punishment by household members; 90% of interviewed children aged 1 to 14 years experienced violent disciplining in the month before the interviews. The Violence against Children (VAC) study 2017 – 2018 in Suriname also underscores these findings.
29. The Violence against Children (VAC) study showed that government child protection programmes are inadequate, due to a myriad of reasons, e.g. a lack of a coordinated approach and a tracking system in the support process, lack of case management and monitoring systems; and lack of defined processes and protocols for professional groups working with children present. There is a shortage of social workers in public service and at NGO level, as well as of adequate childcare and guidance of traumatized children.
30. Based on the recommendations of the Violence against Children Study, in 2018, the Government of Suriname initiated setting up a coordinated mechanism for the child protection services through the

IKBen network of service providers both at public and NGO level. Processes and procedures were discussed and a set of tools were developed and a system for case work and case management was proposed. Although the initial steps are hopeful, this system is still not fully implemented among all service providers working in the chain of child protection.

31. Recommendation to Suriname

- a) That the State continues and strengthens the IKBen network, providing them with adequate resources and assistance to further a coordinated approach in child protection.

Financial aid for vulnerable children

32. In Suriname's 2nd UPR cycle, Suriname received and supported the recommendation to address urgently the constraints affecting the functioning of the Conditional Cash Transfer programme, including, if appropriate, through technical and/or financial assistance from regional and international partners (UPR of Suriname – 2nd Cycle, Recommendation 135.37 - source of position: A/HRC/33/4/Add.1 - Para. 6)

33. Suriname has about 44 children's homes, these are mostly managed by private organizations or individuals (including religious organizations). Children are put into their care by family who cannot adequately care for them anymore, or by the authorities in cases of abuse or other deprived circumstances. The government has a financial aid system in place through which it should support these children's homes, however there has been discussions about the efficiency and the reach of this system.

34. Over the years, the Government has worked on revising its financial aid policy but it still brings a lot of challenges for the children's homes to apply. The procedures are experienced as cumbersome by children's homes. If they do not comply however, aid is withheld by the government, who herself uses these homes as a refuge for their wards.

35. Until recently, most organizations were able to keep the homes running thanks to the donations from private sector and other donors. However, in the financial crisis in Suriname, exacerbated by the Covid-19 crisis, these donations have now dried up.

36. Recommendations:

- a) To structure the subsidy policy for the children's homes and make the processes and procedures practical and transparent.
- b) Support children's homes in the application process effectively.
- c) Commitment to efficient and effective timelines set from the application until the homes actually receive the funds.
- d) Ensure that children's homes must be authorized to receive the monthly child benefit, which is given by government to all children below the age of eighteen years, of the children under their care. (Currently, these are still received by the parents.)

Persons with Disabilities

37. In Suriname's 2nd UPR cycle, Suriname received and supported the recommendation to finalize the draft law on persons with disabilities with a view to its implementation (UPR of Suriname – 2nd Cycle, Recommendation 135.42 – Source of position: A/HRC/33/4/Add.1 - Para. 6).
38. The draft act equal treatment in the workplace has also yet to be adopted by parliament.
39. Costs for medical services and basic supplies for persons with a physical disability are not included in basic medical aid packages provided by the government.
40. Most of the School buildings are not accessible for children with a physical disability.
41. The National Policy Advisory board for the Disabled (NARG) is no longer active.
42. Recommendations
 - a) Adjust the social welfare payments to a living wage standard, and delete the rule that aid stops at marriage.
 - b) Add to the draft act on Equal Treatment a statutory quota for employers to hire persons with disabilities.

ⁱ Sources: 2017 Annual Budget (https://dna.sr/media/212009/SB_2017_100_Begroting_Juspol.pdf), 2018 Annual Budget (https://www.dna.sr/media/232370/S.B._2018_no._42_wet_begroting_2018_16_ministeries.pdf), 2019 Annual Budget (https://www.dna.sr/media/283794/S.B._2019_no._95_STAATSBEGROTING_2019.pdf), 2020 Annual Budget (http://www.dna.sr/media/269269/STAATSBEGROTING_2020.pdf), 2021 Draft annual Budget (http://www.dna.sr/media/307600/STAATSBEGROTING_2021.pdf)

ⁱⁱ <https://www.srherald.com/suriname/2018/12/08/10-december-internationale-dag-van-de-mensenrechten/>

ⁱⁱⁱ For example: <https://www.srherald.com/suriname/2019/03/19/clayton-hiwat-journalisten-zijn-nog-altijd-erg-afhankelijk-van-overheid/>, <https://www.starnieuws.com/index.php/welcome/index/nieuwsitem/61770>, <https://www.starnieuws.com/index.php/welcome/index/nieuwsitem/62118>

ⁱⁱⁱ <https://www.youtube.com/watch?v=PY8f5zDMXks>

^{iv} <https://www.youtube.com/watch?v=PY8f5zDMXks>

^v <https://www.srherald.com/suriname/2017/08/21/stvs-weigert-tv-spot-wet-openbaarheid-van-bestuur/>

^{vi} <https://www.state.gov/wp-content/uploads/2020/02/SURINAME-2019-HUMAN-RIGHTS-REPORT.pdf>

^{vii} Baldewsingh, Lichtveld, Zijlmans et al (2020). Prenatal Mercury Exposure in Pregnant Women from Suriname's Interior and Its Effects on Birth Outcomes, *International Journal of Environmental Research and Public Health*, 17, 4032.

^{viii} Gokoel, Zijlmans, Covert, Abdoel Wahid, Shankar, MacDonald-Ottevanger, Hindori-Mohangoo, Wickliff, Lichtveld, Harville (2020) Influence of Prenatal Exposure to Mercury, Perceived Stress, and Depression on Birth Outcomes in Suriname: Results from the MeKiTamara Study', *International Journal of Environmental Research and Public Health*, 17, 4444.

^{ix} Ouboter, P.; Landburg, G.; Satnarain, G.; Starke, S.; Nanden, I.; Simon-Friedt, B.; Hawkins, W.; Taylor, R.; Lichtveld, M.; Harville, E.; et al. (2018). Mercury Levels in Women and Children from Interior Villages in Suriname, South America', *International Journal of Environmental Research and Public Health*, 15, 1007.