



ngo group for the crc

**STATE PARTY EXAMINATION OF SURINAME'S SECOND
PERIODIC REPORT
44TH SESSION OF THE COMMITTEE ON THE RIGHTS OF THE
CHILD**

15 January - 2 February 2007

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Suriname ratified the Convention on the Rights of the Child (CRC) in 1993. On 24 January 2007, the Committee on the Rights of the Child (the Committee) examined Suriname's Second Periodic Report.

Opening Comments

The delegation was headed by the Minister of Social Affairs and Housing, Mr. Henk Soerat Setrowidjojo. In his opening statement, Mr. Setrowidjojo expressed awareness of the state's shortcomings. With children making up 40% of the population, Mr. Setrowidjojo highlighted the importance of the adoption of the CRC and its possibilities in the state legislature. Despite the bad financial situation, the government was implementing a 5-year national plan of action since 2002. The policy plans developed within the national plan of action included the areas of health, education, corporal punishment, and family planning. Mr. Setrowidjojo noted that the government had made great strides in the areas of immunisation and in increasing primary school enrolment and completion. However, despite that progress, there was a decrease in participation and completion in secondary schools. In addition, the number of child abuse cases increased significantly from 2003 to 2005. To better understand the problems of families and children, the government formulated plans to tackle the problems of birth registration in the interior, making primary and secondary education free of charge, producing health education, and improving teachers' capacity by constructing more primary schools. The floods of 2006 had an impact on the availability of healthcare, education and food. However, short-term measures were put in place by the government to guarantee that education and healthcare were continued, and food was available for woman and children. Mr. Setrowidjojo acknowledged that legislative changes were slow but would soon be adopted in the areas of childcare, foster children and the right to expression.

The country reporter, Mr. Siddiqui pointed out that Suriname was a unique country with its diverse population of 450,000. He also noted the abundance of natural resources which was possibly the highest in the region.

Legislation

The Committee expressed concern about the status of the CRC under Surinamese law; it was unclear how the CRC fit in with domestic laws. The Committee believed that the legislation did not conform to the principles of the CRC and asked where the Convention ranked in the national laws. In addition, the Committee enquired if there were incidences when judges used provisions of the CRC in a ruling. The delegation replied that any convention with respect to human rights took precedent over domestic laws. It also stated that, although there were no specific cases reported on the evocation of the CRC in a ruling, officers and judges were trained and able to use the CRC.

Corporal Punishment

The Committee enquired about the measures taken to address corporal punishment. It mentioned a report that stated that 12.9% of the population reported using it at home and 50% supported its use in school. The delegation replied that corporal punishment, although permitted at home, was prohibited in school. However, it acknowledged that it was still in practice in school. It also conceded that children had a tendency to run away from home as a result of corporal punishment, and that no progress was made to put a stop to this practice.

Birth Registration

The Committee requested more information on birth registration as there were no figures in the State party report regarding the inland areas. It enquired if only fathers were able to register their children. Furthermore, the Committee was interested in the state's strategy on registering children in the remote inland areas. The delegation replied that about 95% of the population was registered, but admitted that there were problems with the registration process. The delegation explained that individuals had 3 days to register a new-born, although some regions (the interior) had up to 16 days to do so. The delegation also explained that it was customary for the father to register the baby, but in the absence of a father the mother, physician, or midwife could do it. In terms of registering births in the interior regions, the state increasingly worked with clinics to provide assistance with registering these births through the deployment of specialised teams.

The Committee was interested in the state's responsibility for registering the migrant and Maroon (indigenous) populations and in any improvements in registering these populations. The delegation replied that the state had implemented late registration forms. If they were not completed within 60 days, these forms could still be submitted with no punishment. Furthermore, there were several offices in the interior where individuals could go to register their children. The delegation stated that most migrants were illegal and as such, did not feel safe registering their children.

The Committee also asked about the registration of children born out of wedlock and whether the child's inheritance would be negatively affected by the marital status of the parents. The delegation was very adamant that the inheritance of the child was not affected by the marital status of the parents. This policy was a common law policy and religion was not a factor.

Juvenile Justice

The Committee was very concerned with the juvenile justice system. It noted a trend towards favouring punishment and long detention periods for minors. The Committee enquired if the 30-day detention was in a police cell and if so why it was the case. The delegation responded that the length of the proceedings was elongated by in depth police investigations. It admitted that during pre-trial detention boys were held in police cells.

Because judges seemed to have the choice of whether to try a child aged 16-18 as an adult or a minor, the Committee enquired how the decision was made, as over 50% of these 16-18 year old children were tried as adults. The delegation explained that the seriousness of the crime was the deciding factor. Murder for instance would lead to a minor being tried as an adult.

With regards to the length of legal proceedings, the Committee noted the discrepancies in the State report. The average time between arrest and courtroom proceedings was about 11 days. The Committee was interested in learning how children obtained a lawyer. The delegation explained that the first step was to contact the parents, as they were responsible for obtaining legal aid. If the parents were absent, the responsibility fell on the extended family. If the family did not want to take responsibility for the child, two lawyers paid by the Ministry of Justice and Police, were notified by police. The latter were on call at all times. However, the delegation admitted that it was hard for these lawyers to travel and represent individuals in the interior. Furthermore, legal aid lawyers received little pay, and were often appointed on the day of the hearing, which hampers the ability of the lawyer to prepare the case properly.

The absence of a specialised justice system focused on youth was another concern of the Committee. It asked about the youth criminal procedures. The delegation said that a provision of the criminal code stated that children under 10 could not be prosecuted under criminal law. All criminal procedures involving youth under 18, required the involvement of the state's child protection agency. The child protection agency then advised the judge and prosecutor during the trial. Furthermore, there were no specific penalties for minors. The delegation explained that the penalty was a third of the length of the adult sentence. The penalty for a crime that would equal death or life imprisonment was a maximum of 15 years for minors.

The Committee also asked why girls were placed in women's facilities. The delegation admitted that it was the case, but explained that during 2007, a re-socialisation centre for boys and girls would be completed. This would allow for education at the primary, secondary, and vocational (boys only) levels.

Health

The Committee noted that the figures on the infant mortality rate (IMR) were probably far lower than the reality. This was because the state did not consider children that die within 3 days and 16 days for the interior regions, as being part of the IMR. The delegation explained that these deaths were not included because they were considered stillborn, thus resulting in a very high perinatal mortality rate. Even so, the IMR was very high due to malnutrition related to poverty. The Committee asked whether the state had implemented any strategies to combat poverty. Although this had not been done, the state subsidised healthcare and was working on an agricultural diversification programme. The delegation admitted that the interior was hard to help due to a lack of funds. The population within the interior only ate what they grew and the lack of vegetables eaten posed a health risk for the population.

The delegation explained that the short breastfeeding period had a direct impact on the IMR. Mothers stopped breastfeeding about 2-3 months too early, because they had to go back to work after about 6 weeks. A cultural deterrent to breastfeeding was that it was believed to make mothers ugly if extended over a long period of time. When asked how the state was planning on combating this problem, the delegation said that a change in legislation on maternal leave would make it possible for mothers to breastfeed for longer. Furthermore, it recognised the need for a breastfeeding programme to disseminate relevant information to mothers.

When asked whether there was a specific plan of action on healthcare reform, the delegation underlined the sector health plan for 2004-2009, which aimed to create a good quality and accessible healthcare system. The state was prepared to strengthen its primary healthcare through prevention and providing quality healthcare to the most vulnerable population. The Committee wanted to know if there was a national AIDS programme. The delegation explained that there was a coordinating

body managing the nations AIDS plan. The coordinating body's priorities included coordination, transmission protocol, prevention, treatment and care. The transmission protocol aspect of the programme would allow for the screening of pregnant woman while the prevention aspect would address low condom usage, cultural background and misconceptions. The delegation reported that only 33% of the population had a good knowledge of preventative measures as of 2000.

The Committee was interested in the access to healthcare in the interior regions and the delegation was pleased to note that healthcare was completely free at 50 clinics in the interior. However, some villagers were not able to visit the clinics due to the geography of the region. The state also implemented a programme to train 20 people to travel to the interior and work with village leaders to promote health related issues. Furthermore, in the coastal region, there were 50 additional primary care clinics where everyone could access the services. Those who could not afford their medical treatment and reside in the coastal region were able to go to the Ministry of Social Affairs and get the social health care card which allows individuals access to clinics.

Due to an increase in the suicide rate amongst 20-40 year olds, the Committee wanted to know more about the mental health system. The delegation said there was no mental health programme due to a lack of resources. The absence of trained and educated psychiatrists made this nearly impossible.

Education

The Committee asked how the government intended to reduce regional discrepancies in relation to the number of enrolled students and increase the quality of education. The delegation explained a plan that was executed in the interior regions of the country where parents are taught to engage school officials more. To improve the quality of education, a National Institute for Training has been established to properly train teachers. In addition to sensitivity training for teachers, the teachers located in the interior were expected to know the local language and have a minimal level of teaching. This initiative will be evaluated by the state in 2007. In addition, schools located in the interiors have had infrastructural updates.

The Committee also expressed concern on the cost of schooling and whether the enrolment fee (up to 10 USD) had an impact on the number of children attending school. The delegation explained that although enrolment was not free, it was only a small fee and no penalty was given to parents who were unable to pay the fee. The state was exploring plans to offer free and compulsory education to all children.

When asked about plans for raising the years of compulsory education, the delegation explained that the primary education law was being revised and the aim was to have compulsory education for 4-14 year olds. The Committee also asked if the government had a plan to increase boys' presence in school. The delegation replied that the Ministry of Education developed a programme to invest more and refocus its efforts to entice boys to attend school.

The Committee was interested in the religious overtones of schools located in the interior and asked if schools imposed a religion on the children. The delegation said that although schools had specific religions which they taught or represented, children of any religion could attend any school. The only stipulation was that children respect the religion taught by each school.

Lastly, the Committee asked about the number of children with disabilities in schools. It was interested in finding out about proper accessibility and who was in charge of the coordinating body. The delegation said that there were 500 children with disabilities in schools and the appropriate schools had wheelchair access. Furthermore a draft special education law provided guidance to the Ministry of Education on the issue of disabilities.

Institutionalisation & Alternative Care

The Committee expressed concern about the number of children in institutions; it questioned whether there was a reunification programme for children and parents. The Committee also asked about the process of placing a child in an institution. The delegation noted that there were 1437 children in institutions and although there was no specific plan for reunification, the government was studying possibilities. National adoptions were not promoted, although the process was being strengthened. The main focus was on a foster family system.

When cases of neglect were reported to the police, the Bureau of Public Health conducted an inspection of the home environment to ascertain the child's overall health. While the investigation took place, the child was placed by the court system into the care of an NGO which received governmental subsidies. The Committee asked if and where a child being abused could lodge his/her complaint. The delegation explained that although there were no helplines, there were 34 organisations that could provide help. These resources were publicised widely to children.

Discrimination

The Committee was pleased to learn about the revised code on sexual consent for children. The code set the age of sexual consent for both male and female to 18 years of age. The Committee wanted to know why there were no specific measures to prevent the discrimination of any specific group of people. The delegation explained that there are no measures to keep this in check because it happens naturally when there is such diversity. To help prevent the harmful effects of discrimination, the Ministry of Education started a Basic Life Skills programme in 2005. The programme helps create opportunities to generate attitudes where children choose a healthy lifestyle and deal with difficulties in life. They learn about creative thinking, self-esteem, as well as dealing with emotions and stress.

The Committee suggested that it could be difficult for teenage mothers to go back to school and asked if there was a programme to combat this type of discrimination. The delegation stated that there was a teenage mother programme designed to encourage them to go back to school.

Concluding remarks

The Committee appreciated the fruitful dialogue with the delegation. It expressed its satisfaction regarding the professional and comprehensive State report and the wealth of information provided by the delegation. It found that many necessary steps had been taken toward implementing the CRC, although much remained to be done.