

# **SURINAME 2020 HUMAN RIGHTS REPORT**

## **EXECUTIVE SUMMARY**

Suriname is a constitutional democracy with a president elected by the unicameral National Assembly. Elections for the National Assembly took place on May 25. International observers considered the legislative elections to be free and fair. In July the Assembly elected Chandrikapersad Santokhi as president.

The armed forces are responsible for national security and border control, with the military police having direct responsibility for immigration control at the country's ports of entry. All elements of the military are under the control of the Ministry of Defense. Civilian police bear primary responsibility for maintaining law and order and report to the Ministry of Justice and Police. Police and military personnel continued to conduct regular joint patrols as part of the government's overall efforts to combat crime, and both also served jointly on special security teams. Civilian authorities maintained effective control over the military and police. Members of the security forces committed some abuses.

Significant human rights issues included: cruel and degrading treatment of individuals by police, unlawful interference in privacy and home, the use of criminal defamation laws, and widespread acts of corruption.

The government took steps to investigate, prosecute, and punish officials who committed human rights abuses, whether in the security forces or elsewhere in the government.

## **Section 1. Respect for the Integrity of the Person, Including Freedom from**

### **a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings**

There were no reports that the government or its agents committed arbitrary or unlawful killings.

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The trial of 18 prison officials accused of using excessive force that led to the death of prisoner Dion Griffith in March 2019 at the Hazard Penitentiary Facility in Nickerie continued. COVID-19 precautionary measures forced the postponement of the trial on several occasions during the year.

Former military dictator and former president Desire Bouterse personally appeared in court as part of the appeals process in the so-called December Murders Trial on November 30 for the first time in the 13-year history of the trial. Bouterse read a statement detailing his reasons why he claims the right to object to his conviction and sentencing. The court-martial president set the next hearing and demanded that Bouterse attend. The appeals process officially commenced on January 22, when Bouterse appeared before a court-martial to file an objection to his 2019 conviction and 20-year prison sentence. The process was subsequently postponed several times due to COVID-19 precautionary measures. Bouterse and six others were found guilty in November 2019 of the extrajudicial killing of 15 political opponents in 1982.

There was no progress made on establishing the Truth and Reconciliation Commission as mandated by the amnesty law.

### **b. Disappearance**

There were no reports of disappearances by or on behalf of government authorities. In April persons allegedly acting on the order of the Directorate of National Security (DNV) were responsible for attacking and attempting to kidnap a candidate for the National Assembly from his home, but the attempt was unsuccessful; investigation of the incident continued at year's end.

### **c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment**

While the law prohibits such practices, human rights groups, defense attorneys, and media continued to report instances of mistreatment by police, including unnecessary use of force during arrests and beatings while in detention.

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In late March and early April, multiple reports and videos appeared on social media showing the unnecessary use of force and degrading treatment of individuals who had violated the government's curfew orders that were put in place beginning in March in response to the COVID-19 virus. One video appeared to show police officers beating an unarmed man walking in the street, while another appeared to show police officers ordering a group of teenagers to crawl across a sidewalk.

In August a lawyer informed the press that two of her clients were severely beaten by police when detained. The two suffered injuries that required medical treatment. One was treated by a doctor, while the other was allegedly denied medical treatment. The lawyer stated that filing a complaint was useless because the police officer involved denied the allegation while also receiving protection from colleagues.

Impunity was not a widespread problem within the police force. The Personnel Investigation Department investigated allegations citizens reported against officers and took appropriate disciplinary action. The Internal Affairs Unit conducted its own investigations involving various forms of misconduct. Penalties varied from reprimands to the dismissal of officers as well as prison sentences.

### **Prison and Detention Center Conditions**

Prison conditions generally met minimum international standards, but there were numerous problems in the country's 21 detention centers.

**Physical Conditions:** There were no significant reports regarding prison center conditions that raised human rights concerns. Nonetheless, prisons were understaffed, with high prisoner-to-guard ratios. Facilities lacked adequate emergency exits. Cells were closed with individual padlocks. There were no emergency evacuation drills.

Overcrowding was a problem in the detention centers connected to police stations and operated by police. Older buildings lacked adequate lighting and ventilation, with limited functioning sanitation facilities. Hygienic conditions were poor. Bad drainage led to flooding problems in some facilities. Police had no standard operating procedures for management of detention facilities. Police officers were

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assigned to detention facilities without any specialized training. Facilities lacked adequate guards, relying instead on regular duty police officers when additional assistance was necessary. Officers did not have adequate personal protective equipment to handle detainees in need of medical attention. There were reported cases of communicable diseases in detention facilities.

Lawyers noted the need for adequate COVID-19 measures for detention facilities, since social distancing in the already overcrowded detention facilities was impossible. Cells were small and held more than five detainees, which exceeded the maximum number of persons allowed in a space as mandated by law. At several detention facilities and prisons, both police officers and detainees tested positive.

Outside vendors were responsible for providing food. Throughout the year vendors threatened to suspend services due to lack of payment by the government.

**Administration:** Authorities conducted investigations of credible allegations of mistreatment. Government officials continued regular monitoring of prison and detention center conditions.

As part of COVID-19 precautionary measures, authorities limited visitation for those in detention facilities and prisons.

**Independent Monitoring:** The government permitted monitoring visits by independent human rights observers.

### **d. Arbitrary Arrest or Detention**

The law prohibits arbitrary arrest and detention and provides for the right of any person to challenge the lawfulness of his or her arrest or detention in court. The government generally observed these requirements.

#### **Arrest Procedures and Treatment of Detainees**

Police apprehended individuals openly with warrants based on sufficient evidence and brought them before an independent judiciary. The law provides that detainees be brought before a judge within seven days to determine the legality of their

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arrest, and courts generally met the seven-day deadline. An assistant district attorney or a police inspector may authorize incommunicado detention. If additional time is needed to investigate the charge, a judge may extend the detention period in 30-day increments up to a total of 150 days. There is no bail system. Release pending trial is dependent on the type of crime committed and the judge handling the case. Detainees receive prompt access to counsel of their choosing, but the prosecutor may prohibit access if the prosecutor believes access could harm the investigation. Legal counsel is provided at no charge for indigent detainees. Detainees are allowed weekly visits from family members.

**Pretrial Detention:** The Court of Justice made significant progress in the processing of new criminal cases, which resulted in detainees spending less time in pretrial detention. Nonetheless, there was still a backlog, which the court was working to reduce.

In August police launched an internal investigation into the release of photographs showing minors who were detained for allegedly committing murder. Police authorities acknowledged the release of the pictures was in violation of the UN Convention on the Rights of the Child, which requires additional protection of the identity of minors who are detained.

In keeping with COVID-19 precautionary measures, the Court of Justice put in place an alternative system that allows judges to question detainees via telephone with their lawyers present in order to meet required deadlines. In multiple cases defense attorneys were able to plead for their clients to be released pending trial, citing the threat of COVID-19 infection. Potential release also considered the type of crime committed.

### **e. Denial of Fair Public Trial**

The Constitutional Court was installed in May, allowing laws to be tested on their constitutionality and compliance with agreements with other powers and international conventions, as well as assessing the compatibility of decisions of public bodies with the fundamental rights listed in the constitution. Within days after the court's installation, the 2012 amendment to the amnesty law was forwarded to the Constitutional Court for its review. In August the court reported

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it could not provide a timely review of the amnesty law due to COVID-19 precautionary measures as well as a lack of adequate technical support.

The constitution provides for an independent judiciary. The dependence of the courts on the Ministry of Justice and Police and the Ministry of Finance, both executive agencies, for funding continued to be a threat to judicial independence. Some progress was reportedly made towards financial independence of the Court of Justice when the two aforementioned ministries agreed to allow the court to manage a budget of its own for smaller expenditures.

There were 26 judges in the country, well short of the estimated 40 needed for proper functioning of the judicial system. The Court of Justice was unable to work efficiently, primarily due to capacity shortages as well as other restraints and a cumbersome bureaucratic process to access funding. The COVID-19 virus forced the court to take a more digital approach to its operations. Although this alleviated some of the problems, cases both in criminal and civil courts were suspended repeatedly, adding significantly to the backlog.

### **Trial Procedures**

The law provides for the right to a fair and public trial, and an independent judiciary generally enforced this right.

Defendants have a right to be informed promptly of the charges against them. Defendants have the right to trial without undue delay and the right to counsel. There were court-assigned attorneys for both the civil and penal systems. All trials are public except for indecency offenses and offenses involving children. Defendants enjoy a presumption of innocence and have the right to appeal. Defendants have the right to be present at their trial and may not be compelled to testify or confess guilt. Defendants' attorneys may question witnesses and present witnesses and evidence on the defendant's behalf. The courts assign private-sector lawyers to defend indigent detainees. If necessary, free interpretation is also provided. The law protects the names of the accused, and authorities do not release those names to the public or media prior to conviction.

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Legal assistance to indigent detainees continued to come under pressure as lawyers threatened to cease legal assistance due to lack of payment by the government. Cases concerning non-Dutch-speaking detainees continued to experience delays on numerous occasions, as interpreters suspended their services to the court due to a backlog in payments by the government. Cases requiring psychological or psychiatric evaluations were also repeatedly postponed as this group of experts also ceased court services during the year due to the government's failure to pay them. There was no notable progress during the year to alleviate these problems.

There are parallel military and civilian court systems, and military personnel generally are not subject to civilian criminal law. The military courts follow the same rules of procedure as the civil courts. There is no appeal from the military to the civil system.

### **Political Prisoners and Detainees**

There were no reports of political prisoners or detainees.

### **Civil Judicial Procedures and Remedies**

Individuals or organizations have the right to seek civil remedies for human rights violations in local courts. Individuals and organizations have the right to appeal decisions to regional human rights bodies; most cases are brought to the Inter-American Commission on Human Rights. The Inter-American Court of Human Rights ruled against the country in several cases, but the government only sporadically enforced court rulings or took no action (see section 6, Indigenous People).

### **f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence**

While the law prohibits such actions, on April 16, security personnel allegedly acting on the orders of the DNV director, Lieutenant Colonel Danielle Veira, raided the home of Rodney Cairo, a candidate for the National Assembly, after a post on his Facebook page criticized the then minister of defense. Police officers responding to a report of a potential armed robbery thwarted an attempt to kidnap

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Cairo. Police Chief Robert Prade ordered the officers not to take any further action, and Veira later allegedly stated the case concerned national security and therefore was secret and under internal investigation. The attorney general immediately denounced the attack, stating the DNV was not a law enforcement entity and lacked any authority to conduct raids or detain persons. One individual was detained and charged with theft and violation of the firearms code. Officials believed the suspect provided assistance in the attack on Cairo. While the officials did not believe the suspect was directly involved, materials stolen during the attack were found in his possession afterwards. The prosecutor recommended a sentence of one year in prison, of which eight months were suspended and subtracted due to time in detention. The suspect was released pending trial. On October 29, the Court of Justice ordered both the prosecutor and Cairo to appear before a special chamber on December 15 to review the state of the investigation of the case Cairo filed against Veira. On December 15, the Prosecutors' Office told the Court that the investigation continued and that Veira was identified as suspect. Once it finalized the investigation, the Prosecutors' Office intended to re-interview Cairo and Veira before taking the case to the Court Martial for a potential trial.

## Section 2. Respect for Civil Liberties, Including

### a. Freedom of Expression, Including for the Press

The constitution provides for freedom of expression, including for the press. While there are no formal restrictions on the press, actions by government and nongovernment actors impeded the ability of the independent media to conduct their work.

**Freedom of Press and Media, Including Online Media:** Independent media were active and expressed a wide variety of views without formal restriction. Multiple media outlets published materials critical of the government. Ownership affiliations, either pro- or antigovernment, influenced the overall tone of reporting.

Prior to the elections, agents of the government consistently used state media, particularly the state-run radio station, as a tool to criticize and attack those with views opposing the government. In certain instances the attacks directly targeted democracy and rule of law.



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**Violence and Harassment:** Journalists reported intimidation by government and nongovernment actors. To protect the identity of journalists, two of the four leading daily newspapers intermittently printed only the initials of writers instead of their full names. Another newspaper printed articles without the author's name.

**Censorship or Content Restrictions:** Following the election, media freely criticized the new government on policy issues, as well as what it claimed was restricted access to the government or its events, while the government tried to contend there was no censorship, self-censorship, or content restriction. The political affiliation of news outlets had little impact on its criticism.

Nongovernmental organizations (NGOs) reported the selective awarding of advertising by the government.

**Libel/Slander Laws:** The country's criminal defamation laws carry harsh penalties, with prison terms between three months and seven years. The harshest penalty is for expressing public enmity, hatred, or contempt towards the government.

In January a journalist was detained for one week on charges of threatening and defaming then president Bouterse after posting a video in which he made critical comments about Bouterse. A judge ruled the charges of defamation proven but rejected charges of threatening and ordered the release of the journalist.

In April a lawyer acting on behalf of the Ministry of Public Works, Transport, and Communication sent Trishul Broadcasting Network a cease and desist letter ordering the network to stop broadcasting material critical of "acting" president Ashwin Adhin that it considered defamatory. The ministry threatened that the network's license would be revoked and warned that the journalist who was arrested in January faced a five-year prison sentence and a fine. At the time the comments were made, Adhin was the vice president, not the acting president.

### Internet Freedom

There were no government restrictions on access to the internet, and the government asserted it did not monitor private, online communications without appropriate legal oversight. Nevertheless, journalists, members of the political

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opposition and their supporters, and other independent entities perceived government interference or oversight of email and social media accounts.

### **Academic Freedom and Cultural Events**

There were no government restrictions on academic freedom or cultural events.

### **b. Freedoms of Peaceful Assembly and Association**

The law provides for the freedoms of peaceful assembly and association, and the government generally respected these rights.

As part of the COVID-19 precautionary measures, the government limited gatherings, which affected the ability of political parties to hold election campaign rallies.

### **c. Freedom of Religion**

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

### **d. Freedom of Movement**

The constitution provides for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights.

### **e. Status and Treatment of Internally Displaced Persons**

Not applicable.

### **f. Protection of Refugees**

The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern.

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**Access to Asylum:** The law provides for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees. The country relies on UNHCR to assign refugee or asylum seeker status. Once status is confirmed, refugees or asylum seekers obtain residency permits under the alien legislation law. Those with a UNHCR certificate receive a special certificate from the Ministry of Labor to work.

In August, UNHCR issued a notice to asylum seekers and refugees registered in the country not to cross the border during the COVID-19 pandemic, since they could be detained, fined, and returned to their country of origin. There were reports of Cuban nationals who entered Guyana illegally from Suriname and were detained.

### **g. Stateless Persons**

A 2014 amendment to the Citizenship and Residency Law grants citizenship through place of birth to a child who is born in the country to non-Surinamese parents, but it does not automatically confer citizenship of one of the parents. The amended law aims to eliminate the possibility of statelessness among children but does not apply retroactively, so a person born before September 2014 continued to be subject to the previous citizenship rules. Thus children born before September 2014 in undocumented Brazilian-national mining communities or to foreign women engaged in prostitution in Suriname become eligible to apply for citizenship only at age 18.

While officially the government does not limit services such as education to stateless children, the bureaucratic requirements of registering children for these services proved obstacles to obtaining services.

## **Section 3. Freedom to Participate in the Political Process**

The law provides citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage.

### **Elections and Political Participation**

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**Recent Elections:** The constitution provides for direct election of the 51-member National Assembly no later than five years after the prior election date. The National Assembly in turn elects the president by a two-thirds majority vote. Following legislative elections on May 25, the National Assembly elected Chandrikapersad Santokhi unanimously as president on July 13.

**Political Parties and Political Participation:** A 2019 amendment to the electoral law prohibits political organizations from running on a combination ticket in elections, putting at a disadvantage smaller parties that seek to combine their strength to challenge larger parties. A fee for political parties to register for participation in the elections was also viewed as an attempt to form an additional burden for smaller or less wealthy parties to take part in the elections. Despite these obstacles, 17 of the 20 parties that initially registered to take part in the elections were found eligible and participated. Only five of the 17 won seats in the National Assembly.

Prior to the elections, state-owned media, both radio and television, were widely used for the purpose of advancing the views of the then ruling National Democratic Party, one of the larger political parties. Programs issuing land titles and assignments of low-cost government housing, granting of government jobs, and distribution of food welfare packages were widely used as campaign tools.

**Participation of Women and Members of Minority Groups:** No laws limit participation of women and members of minority groups in the political process, and they did participate.

### **Section 4. Corruption and Lack of Transparency in Government**

The law provides criminal penalties for corruption by officials, and the government implemented the law effectively at times. Cases reported to the Attorney General's Office were investigated. There were numerous reports that officials engaged in corrupt practices, including accusations from political opponents, civil society, and media.

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**Corruption:** The Bouterse government (2010-2020) was marred by numerous allegations of corruption that reached the highest levels of government. The transition of government brought to light even more alleged cases of corruption. Practically no sector of government remained devoid of allegations, including the Central Bank of Suriname and state-owned companies such as the Postal Bank and the electricity company, EBS.

In January the directors of the Central Bank of Suriname, the president of the supervisory board, and the then minister of finance Gillmore Hoefdraad filed an official complaint against the dismissed governor of the Central Bank, Robert van Trikt, alleging fraud and mismanagement. In early February van Trikt was arrested and charged with corruption, fraud, money laundering, and other offenses. Three more suspects were detained, including a Central Bank director, an accountant and business partner of van Trikt, and the director of the Postal Bank. Hoefdraad was subsequently also identified as a suspect in the case and was formally indicted by the National Assembly in July. In August an arrest warrant was issued for Hoefdraad, who remained at large and was believed to have fled the country.

In July the new government launched investigations into several questionable last-minute land issuances by the previous government that took place during the transition period, including the issuance of titles on the territory of a nature park in Paramaribo. Corruption allegations further included government contracting to political party insiders, lack of transparency in the issuance of mineral and timber concessions, and the use of public power for private gain.

In August members of civil society and nongovernmental organizations filed a formal complaint with the attorney general against the then president of the EBS supervisory board and a business owner, alleging large-scale corruption at the electricity company.

In October the attorney general confirmed that he put in place a special unit within his office to deal with the investigation and prosecution of corruption cases. He further confirmed that his office was investigating 12 of the 20 cases it was presented. The attorney general also identified a need for more expertise to investigate these cases adequately.

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**Financial Disclosure:** The anticorruption legislation includes financial disclosure requirements for certain groups of government officials. The law calls for income, asset, and financial disclosure and gives strict guidelines for submission timeframes. In August a presidential commission was appointed to prepare for the installation of an anticorruption commission, which was to be responsible for implementing the law. The presidential commission was given six months to complete its work.

### **Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Abuses of Human Rights**

A number of independent domestic human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. NGOs reported generally positive relationships with government officials, although officials were not always responsive to their views.

**Government Human Rights Bodies:** The Human Rights Office of the Ministry of Justice and Police is responsible for advising the government on regional and international proceedings against the state concerning human rights. It is also responsible for preparing the state's response to various international human rights reports. Its independence is limited as a ministerial office exclusively under executive branch control, and it does not solicit or investigate public complaints. The National Assembly has a commission dealing with issues related to human rights.

### **Section 6. Discrimination, Societal Abuses, and Trafficking in Persons**

#### **Women**

**Rape and Domestic Violence:** The law criminalizes rape of men and women, including spousal rape, and prescribes penalties for rape or forcible sexual assault of 12 to 15 years' imprisonment and a substantial fine. The government enforced

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the law effectively, including applying its provisions in cases involving rape of men. Authorities investigated and prosecuted all reported cases of sexual abuse.

Violence against women remained a serious and pervasive problem. The law imposes sentences of four to eight years' imprisonment for domestic violence. As of September, 12 cases of manslaughter, murder, or abuse resulting in death were linked to domestic abuse.

The Victim Assistance Bureau of the Ministry of Justice and Police provided resources and counseling for victims of domestic violence and continued to raise awareness about domestic violence through public television programs. There were victims' rooms in police stations in Paramaribo and Nickerie. Authorities trained police units in dealing with survivors and perpetrators of sexual crimes and domestic violence. The Victim Assistance Bureau managed a shelter for female victims of domestic violence and children up to age 12 where victims can stay for up to three months. Use of the shelter was, however, far below its capacity, at a time when police reported 149 cases, a 100 percent increase of cases of domestic abuse for the first half of the year, compared with the first half of 2019.

The Office of Gender Affairs of the Ministry of Home Affairs continued its awareness programs on domestic violence against women and girls throughout the year. While COVID-19 precautionary measures limited in-person programming, awareness messaging continued. As a result of the COVID-19 pandemic, funding initially allocated for the UN's Enabling Gender-Responsive Disaster Recovery, Climate, and Environmental Resilience in the Caribbean (EnGenDER) program, which initially focused on enabling gender-responsive disaster recovery in the Caribbean, was reallocated to strengthen the responsiveness of organizations that provide support on domestic violence during the pandemic.

In August the NGO Women's Rights Center called for extra alertness in society for cases of domestic violence, which were exacerbated by persons being required to remain in the same spaces for longer periods of time during COVID-19 restrictions.

**Sexual Harassment:** There is no specific legislation criminalizing sexual harassment, but prosecutors cited various penal code articles in filing sexual

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harassment cases. There were no reported court cases involving sexual harassment in the workplace.

Stalking is a criminal offense, and police may investigate possible cases of stalking without filing a formal complaint. Pending investigation, police may issue temporary restraining orders limiting contact between victim and suspect for up to 30 days. If found guilty, offenders can receive prison sentences ranging from four to 12 years and a large fine. The government enforced the law effectively.

**Reproductive Rights:** Couples and individuals were free to decide the number, spacing, and timing of their children without discrimination, coercion, or violence. Information on reproductive health was widely available.

No legal barriers or government policies adversely affected access to contraceptives. In some rural areas, skilled healthcare workers were sometimes not readily available due to the distances between villages.

Survivors of sexual violence had access to government-supported health insurance that arranged services for sexual and reproductive health. Survivors requested assistance either through the Ministry of Social Affairs, which was primarily responsible for issuing government-supported health insurance, or through the Bureau of Victim Care of the Ministry of Justice and Police, which provided counseling and health-care assistance to victims.

The maternal death rate in 2017 was 120 per 100,000 live births. Complications because of hypertension or during the delivery were the primary causes of this high rate. An average of 57 percent of women married or in a union with a demand for family planning had their family planning needs met through a modern method. The adolescent birth rate for girls ages 15 to 19 was 65 per 1,000.

**Coercion in Population Control:** There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

**Discrimination:** The law provides for the protection of women's right to equal access to education, employment, and property. Nonetheless, women experienced discrimination in access to employment and in rates of pay for the same or substantially similar work as men.



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### Children

**Birth Registration:** The law on citizenship and residency provides that citizenship transmits to a child when either the father or mother has Surinamese citizenship at the time of birth, when the parent is Surinamese but has died before birth, or if the child is born in the country's territory and does not automatically acquire citizenship of another country. Births must be registered with the Civil Registry within one week. Failure to do so within the mandated period results in a more cumbersome process of registration.

**Child Abuse:** Police registered 53 cases of physical abuse and 226 cases of child sexual abuse as of September. Subject-matter experts believed the actual number of abuse cases was significantly higher than reported. To avoid intimidation by perpetrators, there were arrangements for children to testify in special chambers at legal proceedings. The Youth Affairs Office continued to raise awareness about sexual abuse, drugs, and alcohol through a weekly television program. The government operated a telephone hotline for children and provided confidential advice and aid to children in need. Authorities reported an average of 80 calls per day.

UNICEF continued to cooperate with the government to provide training to officials from various ministries dealing with children and children's rights. The Ministry of Justice and Police operated three child protection centers in different parts of the country.

**Child, Early, and Forced Marriage:** Parental permission to marry is required until the age of 21. The marriage law sets the age of marital consent at 15 for girls and 17 for boys, provided parents of the parties agree to the marriage. Children in certain tribal communities often marry at an age younger than that set forth by the law.

**Sexual Exploitation of Children:** The law prohibits the commercial sexual exploitation of children, the sale of children, offering or procuring a child for child prostitution, and practices related to child pornography. Authorities investigated all reported violations. While the legal age of sexual consent is 14, trafficking-in-persons legislation makes illegal the sexual exploitation of a person younger than

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age 18. Criminal law penalizes persons responsible for recruiting children into prostitution and provides penalties of up to six years' imprisonment and a significant fine for pimping. The law also prohibits child pornography, which carries a maximum penalty of six years' imprisonment and a fine. Violations are punishable by prison terms of up to 12 years.

Lack of economic opportunities led to an increasing number of adolescent boys and girls entering prostitution to support family or to pay for education. One NGO reported commercial sexual exploitation of children as young as 14. While not generally marketed as a destination for child sex tourism, in prior years cases were reported of tourists involved in sexual exploitation of children. Cases were also reported of parents forcing their young children into prostitution.

Several cases of sexual exploitation, sexual and physical abuse, and neglect came to trial. Victims included both boys and girls. Sentences range up to 10 years in prison.

**Institutionalized Children:** A lack of financial support from the Ministry of Social Affairs for orphanages and other shelters for children significantly affected these institutions' ability to care for children adequately. There were reported cases of verbal, physical, and sexual abuse in some shelter facilities.

**International Child Abductions:** The country is not a party to the 1980 Hague Convention on the Civil Aspects of Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data/reported-cases.html>.

### Anti-Semitism

There was a declared Jewish community of approximately 95 persons. There were no reports of anti-Semitic acts or discrimination.

### Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

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### **Persons with Disabilities**

No laws specifically prohibit discrimination against persons with physical or mental disabilities. Persons with disabilities are eligible to receive general health benefits, but the process can be cumbersome. Persons with disabilities experienced discrimination when applying for jobs and services. Authorities provided some training programs for persons with impaired vision or other disabilities. No laws or programs provide that persons with disabilities have access to buildings. A judge may rule to deny a person with a cognitive disability the right to vote, take part in business transactions, or sign legal agreements. There was secondary and technical education for deaf and hard-of-hearing persons but not for those with visual disabilities. The Foundation for the Blind teaches persons who are visually impaired braille and life skills. Children with disabilities attended school at a far lower rate than their peers without a disability. Depending on the disability, children could attend regular schools. The Ministry of Social Affairs is responsible for protecting the rights of persons with disabilities.

### **Indigenous People**

The law affords no special protection for, or recognition of, indigenous peoples. The Inter-American Commission on Human Rights (IACHR) identified the Maroons (descendants of escaped slaves who fled to the interior, approximately 22 percent of the population) as tribal peoples and thus entitled to the same rights as the indigenous Amerindian communities (approximately 4 percent of the population).

Maroons and Amerindians living in the remote and undeveloped interior had limited access to education, employment, and health and social services. Both groups participated in decisions affecting their tradition and culture, but they had limited influence in decisions affecting exploitation of energy, minerals, timber, and other natural resources on their lands. Both Maroons and Amerindians took part in regional governing bodies, as well as in the National Assembly, and were part of the governing coalition.

The government recognizes the different Maroon and indigenous tribes, but they hold no special status under national law, and there was no effective demarcation

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of their lands. Because authorities did not effectively demarcate or police Amerindian and Maroon lands, these populations continued to face problems with illegal and uncontrolled logging and mining. No laws grant indigenous peoples the right to share in the revenues from the exploitation of resources on their traditional lands. Organizations representing Maroon and Amerindian communities complained that small-scale mining operations, mainly by illegal gold miners, dug trenches that cut residents off from their agricultural land and threatened to drive them away from their traditional settlements. Many of these miners were themselves tribal or supported by tribal groups. Mercury runoff from these operations as well as riverbank erosion also contaminated sources of drinking water and threatened traditional food sources, especially freshwater fish.

Maroon and Amerindian groups complained about the government granting land within their traditional territories to third parties, who sometimes prevented the villagers from engaging in their traditional activities on those lands.

As of October the government did not take any action to carry out the orders of several Inter-American Court of Human Rights rulings against it dating back to 2005. These included a 2015 ruling ordering the government to recognize the Kalina and Lokono collective juridical personality; delimit, demarcate, and title the territory to the peoples; establish a community development fund; and rehabilitate areas affected by third-party mining. The court also ordered similar recognition and protection of the rights of all indigenous and tribal peoples within three years. The government likewise did not act in the 2005 Moiwana Community and 2007 Saramaka People rulings, in which the court ruled that the rights of these Maroon populations to property and judicial protection were violated. In addition to monetary compensation and other provisions, the rulings also called for the recognition of the rights of these groups to their lands.

As part of the 2018 *Multi-Step Plan for the Legal Recognition of the Land Rights of the Indigenous and Tribal Peoples in Suriname*, the demarcation of indigenous and Maroon tribal lands was completed along with the draft law on land rights in September 2019. The government failed to send the necessary legislation for recognition of these lands and other rights to the National Assembly for approval as outlined in the project.

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During the year no steps were taken to implement any of the orders of the IACHR.

### **Acts of Violence, Criminalization, and Other Abuses based on Sexual Orientation and Gender Identity**

There were few official reports of violence against lesbian, gay, bisexual, transgender, and intersex (LGBTI) persons, primarily due to fear of retribution against the alleged victims, and because authorities reportedly did not take seriously complaints filed by members of the LGBTI community. There were reports of societal discrimination against the LGBTI community in areas of employment and housing.

The law prohibits discrimination and hate speech based on sexual orientation, specifically protecting the LGBTI community. Violations are punishable by a fine or prison sentence of up to one year. The law does not set standards for determining what constitutes such discrimination or hate speech. The law on retirement benefits specifically excludes same-sex couples from benefits granted to heterosexual couples.

Among the LGBTI community, the transgender community faced the most stigmatization and discrimination. Transgender women arrested or detained by police were placed in detention facilities for men, where they faced harassment and other violence from other detainees.

An appeals case involving the Civil Registration Office concerning the ability of transgender individuals to update legal documents to reflect their gender identity in the public registry continued.

### **HIV and AIDS Social Stigma**

Persons with HIV and AIDS continued to experience discrimination in employment, housing, and medical services. Medical treatment is free for HIV/AIDS patients covered under government insurance, but private insurers did not cover such treatment. NGOs reported discriminatory testing, and subsequent denial, when applying for housing assistance from the Ministry of Social Affairs.

### **Other Societal Violence or Discrimination**

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Chinese shop owners continued to be targets of violent armed robberies. Violence in the goldmining areas of the interior occurred primarily among and within the Brazilian community, where the government exercised little authority.

### **Section 7. Worker Rights**

#### **a. Freedom of Association and the Right to Collective Bargaining**

The law provides for the right of workers to form and join unions of their choice without previous authorization or excessive requirements, the right to bargain collectively, and the right to strike. The law prohibits antiunion discrimination, requires that workers terminated for union activity be reinstated, and prohibits employer interference in union activities. Labor laws do not cover undocumented foreign workers.

The government effectively enforced applicable laws where it concerned the private sector. Penalties were commensurate with those for other laws involving denials of civil rights, such as discrimination.

Workers formed and joined unions freely and exercised their right to strike.

The majority of trade unions have some affiliation with a political party. In isolated cases private employers refused to bargain or recognize collective bargaining rights, but the unions usually pressured the employers to negotiate. There were some reports that companies exploited legislative gaps and hired more contract employees than direct-hire staff to perform core business functions to cut costs.

The government passed several laws to protect employees from various forms of discrimination and set restrictions on the ability to fire employees. The government itself (the largest employer in the country) was not bound by these laws, however, since it deemed labor laws applicable only to private employees, not civil servants.

#### **b. Prohibition of Forced or Compulsory Labor**

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The law prohibits all forms of forced or compulsory labor. The government investigated and, if necessary, prosecuted all reported cases of forced labor. Penalties were commensurate with those for other analogous serious crimes, such as kidnapping. The Ministry of Labor had 50 labor inspectors, of whom 11 were junior inspectors. Labor inspectors received training on detecting forced labor. Labor inspectors trained to identify trafficking victims were legally authorized to conduct inspections outside formal workplaces but lacked the manpower and capacity to do so.

Also see the Department of State's *Trafficking in Persons Report* at [www.state.gov/trafficking-in-persons-report/](http://www.state.gov/trafficking-in-persons-report/).

### **c. Prohibition of Child Labor and Minimum Age for Employment**

The law prohibits the worst forms of child labor. Legislation enacted in 2018 sets the new minimum age for employment at 16 and raises the minimum age for working on fishing vessels to 18. The new law also specifies the circumstances under which children younger than 16 can perform certain types of labor. Under the new law, children between 13 and 15 are allowed to assist in nonindustrial work of a light nature under specific circumstances. The law further specifies the responsibilities of employers and parents in employment of young persons. Special exemption is needed for children ages 13 and 14 to do any type of work. The law prohibits children younger than 18 from doing hazardous work, defined as work dangerous to life, health, and decency. The new law also sets forth the penalties and fines employers and parents can face when violating the law. Penalties were not commensurate with those for other analogous serious crimes, such as kidnapping.

The Ministry of Labor's Department of Labor Inspection identified three child labor violations during two separate inspections during the year. While the Labor Inspectorate is authorized to enforce the law in the informal sector, it usually lacked the resources and manpower to do so, particularly in mining and agricultural areas, fisheries, and the country's interior. Enforcement in the informal sector was mostly left to police, which did so sporadically (see also section 6, Children).

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Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at [www.dol.gov/agencies/ilab/resources/reports/child-labor/findings](http://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings).

### **d. Discrimination with Respect to Employment and Occupation**

The law prohibits discrimination with respect to employment based on birth, sex, race, language, religious origin, education, political beliefs, economic position, or any other status. The penal code prohibits discrimination based on sexual orientation. Enforcement of the law was selective, as there was reported discrimination in employment with regard to disability, gender, sexual orientation, gender identity, and HIV/AIDS status. Penalties were commensurate with laws related to civil rights, such as election interference. Women's pay lagged behind men's pay. Persons with disabilities faced discrimination in access to the workplace, and LGBTI persons faced discrimination in hiring. A 2018 law protects pregnant women from dismissal, and a 2019 law formalizes maternity leave for women and also paternity leave and special leave for fathers or other family members in case a mother is unable to take care of a child after birth. As with other labor laws, this law is not applicable to government employees.

### **e. Acceptable Conditions of Work**

The law provides for a national minimum wage. The minimum wage was below the World Bank poverty income level. In the private sector, most unions were able to negotiate wage increases. In 2019 the National Assembly approved a new minimum wage law. The new law calls for a National Wage Council to be established to determine the minimum wage annually. As of October the National Wage Council had not been established.

The government employed approximately 50,000 of the estimated 133,000 total formal workforce. Government employees frequently supplemented their salaries with second or third jobs, often in the informal sector.

Work in excess of 45 hours per week on a regular basis requires special government permission, which was routinely granted. The law requires premium pay for such overtime work, prohibits excessive overtime, requires a 24-hour rest period per week, and stipulates paid annual holidays. Overtime is generally



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limited to four hours per day, for a maximum 12-hour workday. During the holiday season, the retail sector has a blanket permit allowing for work up to 15 hours a day, including seven hours of overtime. Penalties were commensurate with those for similar crimes, such as fraud. The government sets occupational health and safety (OSH) standards, which generally are current and appropriate for the main industries in the country.

Inspectors in the Occupational Health and Safety Division of the Ministry of Labor did not effectively enforce OSH laws in the informal sector. Penalties for violations of OSH laws were commensurate with those for crimes such as negligence.

An estimated 15 percent of the working-age population worked in the informal economy, where there was limited enforcement of labor laws. Workers in the informal sector, particularly in small-scale mining, often were exposed to dangerous conditions and hazardous substances, such as mercury.

Limited data were available on workplace accidents. The International Labor Organization, however, noted an increasing number of serious or fatal occupational accidents, as well as steps by labor inspectors to begin OSH training in mines, construction, and public service. Because of the COVID-19 pandemic and severe budgetary constraints, these trainings were put on hold. The majority of fatal occupational accidents took place in the mining sector.

The Labor Inspectorate, along with other government agencies, actively verified that businesses enforced COVID-19 prevention protocols as mandated by the government.

Workers in the formal sector may remove themselves from situations that endanger health or safety without jeopardy to their employment, and authorities effectively protected employees in this situation. Workers in the informal sector did not enjoy the same protection.