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**MECHANISM TO FOLLOW UP ON THE  
CONVENTION OF BELÉM DO PARÁ (MESECVI)  
FIRST SPECIAL CONFERENCE  
OF THE STATES PARTY TO THE  
CONVENTION OF BELÉM DO PARÁ**  
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**SURINAME**

**REPORT ON THE IMPLEMENTATION OF THE RECOMMENDATIONS FROM  
THE CEVI SECOND ROUND**

## **OVERVIEW OF THE MAIN ADVANCES ACHIEVED BY SURINAME FROM APRIL 2012 TO APRIL 2013**

1. Suriname's first major advancement was publishing the Convention of Belém do Pará in the Treaty Paper of Suriname (V.B. 2008, no. 8). Generally, the other main advances made by Suriname in fulfilment of its obligations to the Convention during the mentioned period are the enacting of amendments to legislation related to sexual offences and domestic violence. It is important to note that only *components* of the Convention have been enacted in existing legislation which contains provisions that do not deal specifically with women, as opposed to constructing separate legislation that deals directly with women. However, the provisions incorporated in the existing legislation do encapsulate some of the stipulations of the Convention. They include:
  - 1) A draft law on the Prevention of Sexual Harassment in the workplace is being formulated.
  - 2) The 2009 revised Penal Code addressed forced prostitution, especially among youths. The offence was made punishable for victims of 16-18 years, even if consent was granted by the victim. The Moral Law included in this Code was also revised to include rape provisions. Rape in marriage was made a punishable offence.
  - 3) The Prohibition of Trafficking in Persons was passed in 2006 in accordance with the Palermo Protocol. Special attention was paid to minors, which meant penalties were higher – the minimum being 8 years.
  - 4) The Law on Combating Domestic Violence was adopted in 2009.
    - a. In conjunction with this law, the government has been actively pursuing the establishment of a shelter for female victims of domestic violence. To that end, in 2010, the Ministry of Justice and Police set up a shelter for victims of domestic violence.
  - 5) A draft law on stalking has been presented to the National Parliament for approval.
  - 6) The National Action Plan for Children 2009 – 2014
2. Additional to the laws, the following were noted:
  - A Legal Protection and Security Sector Plan in existence reflects the commitment of the Government to address the problem of violence against women in a systematic manner. An inter-sectoral committee, comprising government and NGO personnel, was also established.
  - The Ministry of Justice and Police is preparing a policy plan for the period 2012-2016.
  - Domestic violence questions were included in the national survey, which could allow interventions to be more targeted.

- The government provides free specialised services, namely pre-trial legal counsel, free legal counsel during trials, free 24 hour national telephone hotlines and psychological counselling, therapy, and support and self-help groups.
- **Gender Work Plan 2013 formulated by the National Bureau for Gender Policy** where 5 priority themes are addressed: education and schooling, labour, income and poverty reduction, violence, health, control and decision – making.
- The government has encouraged the participation of civil society in the design, monitoring and evaluation of plan/action/strategy and the execution of conjoint projects or collaboration in activities related to combating violence.

## **PROGRESS ON THE RECOMMENDATIONS OF THE IMPLEMENTATION OF THE BELÉM DO PARÁ CONVENTION**

### **I. LEGISLATION ARTICLE 1, 2, 3 & 7 c), e) & g)**

#### **Formal Component (Reception of the Right)**

##### **3. CEVI Recommendation 1:**

It was noted that, according to Suriname's Constitution (article 105 and 106), not all Conventions can be applied directly. This is especially the case since the Convention of Belém do Pará is not self-executing; thus, it was incorporated into the legal system by transitional arrangements. Suriname ratified the Convention of Belem do Para in 2002 and the Convention was later incorporated into its legal system by publishing it in the Treaty paper of Suriname (V. B. 2008, no. 8).

4. National legislation has also been amended in accordance with certain provisions of the Convention; however, the specific aspects were not clarified well. Furthermore, several regulations of the Convention were adopted into Suriname's national legislative agenda; yet, little progress has been made in actually implementing them. National laws included:
  - The Law on Combating Domestic Violence adopted in June 2009 and came into force in July 2009.
  - The Penal Code which was revised in 2009
  - A main advancement made by Suriname is the establishment the Law on Stalking (approved in April 2012). The code allows for preventive measures to be taken by the public prosecutor to protect a possible victim and stalking is also punishable by law.
5. Suriname provided **no** information in the current 2013 report on whether or not the **concept of gender-based violence**, as defined in the Convention, was incorporated in to the legislation against violence of Suriname.

6. There are no specific provisions in Suriname's national law that defines violence against women; instead, some forms of violence are covered by assault and battery provisions<sup>1</sup> in the Penal Code (adopted in 1911, and revised in 2009). The Law on Combating Gender Violence is also gender neutral; as a result, this essential component of the Convention is not well-addressed or implemented.
7. The Law on Combating Domestic Violence recognizes that domestic violence can be perpetrated in many forms, such as physical, sexual, psychological and financial abuse. However, the Penal Code does not recognise domestic violence itself as an act of offence; instead, specific acts of physical abuse – such as manslaughter, murder and rape – are punishable under the Code. The law offers victims the possibility of obtaining a restraining order, which may contain either prohibitions or injunctions. But it is only upon violating the restraining order can the perpetrator be punished. Addressing the prevention and eradication of all forms of violence against women therefore remains an issue to be addressed by the government of Suriname.<sup>2</sup>

#### 8. **CEVI Recommendation 2:**

Criminalizing of trafficking in persons through the adoption of the Prohibition in Trafficking in Persons in April 2006, this prescribes that forced labour and the slave trade of persons are illegal. It is also covered under the Penal Code which was revised in 2006 to be consistent with the Palermo Protocol, where both sexes are protected and penalties have been expanded (particularly those involving trafficking of minors under 16 that now carries higher minimum penalties) which is consistent with the Palermo Protocol.

9. Forced prostitution is also covered under the Penal Code which was revised in 2006, and 2009 (regarding sexual crimes). This is of great significance since this legislation outlines that, any person who has sexual intercourse with someone 16 to 18 years – whether with consent or not – is in breach of the Penal Code. No information was available on whether these provisions are consistent with the Roma Statute. It should be noted that trafficking in persons and forced prostitution are not regulated differently.

10. **CEVI Recommendation 3:** At the last evaluation in 2012 no information was available on the issue of sexual harassment. The current report states that Suriname has **no law** that regulates sexual harassment in the workplace although such an offence can be punishable under the terms of the Penal Code. However a draft law has been formulated. However, some progress has been made:

- The **Ministry of Justice and Police** has established a policy memorandum in place in order to combat sexual harassment that took place within the ministry of Justice and Police.

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<sup>1</sup> Articles 360-366.

<sup>2</sup> The government has noted that these provisions are difficult to implement since the Convention is not self-executing, and all Conventions cannot be directly applied to Suriname's legal system.

- The **Ministry of Social Affairs and Housing** has drafted a law on shelters, which is now for approval at the Parliament. This law has among other things the aim to protect children that are in crèches, institutions and shelters.
11. **CEVI Recommendation 4:** Prior to 2012 Suriname already criminalized rape and sexual abuse within marriage and common law unions under the Moral Law which was revised in 2009(article 295 of the Penal Code). However, it is not clear what the definition and scope of rape is in this law, or any other law that deals with this offence. Other forms of sexual violence are not addressed as well. It should also be noted that government agents or the State were not clearly defined in this legislation as possible perpetrators of violence against women – rather, the law specifies perpetrators as one with whom the victim shares a relationship. However, according to the Penal Code, anyone who commits such an act of violence can be penalised. Therefore, government agents as perpetrators should be covered under the broad provisions of this Code. At the same time, however, the lack of specificity may be used to acquit the accused.
  12. **CEVI Recommendation 5:** No information is provided by Suriname on the issues of the Enactment of legislation that explicitly bans the use of such methods as conciliation, mediation, probation, suspended sentences, application of the opportunity, commutation of punishment and others intended to resolve cases of violence extra-judicially.
  13. **CEVI Recommendation 6, 7, 8,9:** In current report **no information was provided** on the issues of femicide, sexual violence in armed conflict, sexual violence perpetrated by the State, and obstetric violence it was also not addressed in the previous report of 2012.
  14. **CEVI Recommendation 10, 11, 12, 13 14:** In current report 2013 **no information was provided** on interruption of pregnancy on therapeutic ground, pregnancy by rape, forced sterilization, artificial insemination, and the free distribution of emergency contraceptives in public health services. However the previous 2012 report indicated that abortion has not been legalised, and no exceptions are made; therapeutic abortions are also not recognised in Suriname. This is particularly concerning in cases of rape, or cases of medical emergency, where the pregnancy must be terminated to preserve the life and health of the female. There is also no law that criminalizes sterilization.
  15. **CEVI Recommendation 15:** In current report **no information was provided** on the provision to offer emergency prophylactic treatment for HIV/AIDS.
  16. **CEVI Recommendation 16:** In Suriname there have been initiative geared towards awareness and prevention campaigns on violence against women and knowledge and promotion of their rights including:
    - Information programme on domestic violence for youth in secondary schools conducted by the Ministry of Home Affairs in collaboration with Foundation Stop Violence against Women.

17. The government of Suriname has made different forms of reparations and treatment available for victims of violence:

- The bureau “Aid to Victims” offers social and psychological counselling to victims of domestic violence, sexual offences and criminal offences.
- The foundation “Stop Violence Against Women” is involved in individual care, guidance, psycho-social assistance, counselling of female victims and perpetrators of violence, provides training and gather data.
- The Stichting De Stem (Foundation De Stem) assist victims of domestic violence in the process of recovery and provides protection to victims.
- The Foundation “Ilse Henar Hewitt Juridische Bijstand voor Vrouwen” (Legal Aid Bureau for Women) offers professional legal advice to women; and the “Shelter for Women in Crisis” offers temporary shelter for women in crisis situations.
- the Ministry of Justice and Police has established a shelter for victims of domestic violence since October 2010. However, the shelter has limited accommodation; so there is an urgent need to establish another shelter with adequate capacity. Additionally, the ministry of Justice and Police has foster inter-agency collaboration through there established Steering Committee on Domestic Violence consisting of six (6) ministries, NGOs and other government institutions is formulate a policy plan on domestic violence.
- The Ministry of Social Affairs and Housing has drafted a law on shelters, which is now for approval at the Parliament. This law has among other things the aim to protect children that are in crèches, institutions and shelters.
- The Women’s Rights Centre conducts campaigns, media and training programmes for various target groups with special focus on domestic violence.

18. Additionally, it is noted that GBV is a priority in Surinam. **The National Bureau for Gender Policy, Ministry of Home Affairs** regularly consulted with civil society organizations to obtain input for drafting the national policy on gender in which gender based violence is a priority issue. The Bureau also supports projects of Civil Society Organisations regarding among other things gender based violence or carry out projects together with CSOs.

### **Basic financial context and budget compromises/commitments**

19. It was stated that Funds are allocated to the Bureau Women and Child Policy of the Ministry of Justice Police and the National Bureau for Gender Policy of the Ministry of Home Affairs in the national budget. However **no mention was made** on whether these departments get what they require or how the allocation is determined.

20. Additionally, **no information** was provided on civil society organizations involved in budget oversight initiatives and budget execution.

### **State capabilities**

21. In current report 2013 **no information was provided by Suriname** on attention protocols for ensuring the enforcement of provisions enacted in connection with different forms of violence; action protocols for justice operators, health (service provider), teachers, and public officials in connection with different forms of violence; and infrastructure, equipment and specialized personnel providing health services in indigenous, rural, communities.
22. It should be noted that in Suriname the process for drafting a protocol for medical doctors has started however no information was provided on the anticipated time frame for completion.
23. **Qualitative signs of progress:** Information was also not forthcoming on civil society involvement in preparation of protocols and monitoring of enforcement.

## II. NATIONAL PLANS ARTICLES 1, 2, 7 & 8 c), d) & f)

### **Formal Component (Reception of the Right)**

24. **CEVI Recommendation 17 & 18:** Suriname has a **National Action Plan for Children 2009 – 2014** based on the conclusions of CRC. There is currently no mechanism for monitoring, however one is being developed. The Action Plan also caters for indigenous, disadvantages and disabled groups. It can be noted that under this Plan focus can be placed on the girl child.
25. There is also the **Gender Work Plan 2013 formulated by the National Bureau for Gender Policy** where 5 priority themes are addressed: education and schooling, labour, income and poverty reduction, violence, health, control and decision – making. Note no specific information on how specific groups were targeted in the work plan.
26. It should be noted under the Ministry of Justice and Police, a policy plan for the period 2012-2016 was drafted which addresses domestic and other forms of violence. No information is provided on the anticipated time frame for approval and then implementation, thus it is uncertain whether this will be effective.
27. **CEVI Recommendation 19: Training plans on violence against women:** In March 2013, the Ministry of Justice and Police trained judges, public prosecutors, social workers, and officers of police and military in the interpretation of the Law on Combating Domestic Violence.
28. Additionally, the Foundation Stop Violence against Women provides training to various occupational groups including teachers, social workers, police officers, health workers with the aim of identifying domestic violence and to refer both victims and perpetrators to professional care services.

29. During the period April to August 2013, the Ministry of Home Affairs trained approximately 80 priest in identifying domestic violence, relevant human rights and the Laws on Combating Domestic Violence. However, the report does not indicate why priest were targeted for training.

30. **CEVI Recommendation 20: Involvement of Civil Society Organization:** There has been considerable civil society participation in the design, implementation, monitoring, and evaluation of the national plan/action/strategy namely:

- The Stichting Stop Geweld tegen Vrouwen :
  - Chairs the Platform Approaching Domestic Violence installed by the Ministry of Justice and Police in which also other NGOs and government institutions are taking part. Through this platform the foundation has participated in the design of a national plan on domestic violence which is now in concept.
  - Has signed a cooperation agreement with the Ministry of Home Affairs for the payment of two psycho – social counsellors of the foundation by the ministry and also for the implementation of information and training activities.
  - Participated in the preparation and setting up of a government shelter for women victims of domestic violence and their children by the Steering Group Domestic Violence and the Ministry of Justice and Police.
  - Contributed to training programs for various stakeholders regarding the enforcement of the Law on combating domestic violence and the design of application forms for protection orders on the basis of aforementioned law.
  - also contributed to two workshops regarding assistance to victims of trafficking in persons held by the Commission Trafficking in Persons for the customs officers, police officers and the Ministry of Justice and Police.
- Through the Platform to combat domestic violence, several NGOs such as the Stichting Stop Geweld tegen Vrouwen, Stichting de Stem, Stichting Medische Zending, Stichting voor het Kind, Stichting Vrouwen in Crisis Situaties, Marron Vrouwen Netwerk, Vereniging van Inheemse Dorpshoofden in Suriname, and the Foundation for Human Development have participated in the design of the National Plan on Domestic Violence.
- Civil Society Organizations have also participated in the design of the Gender Work Plan 2013. The Ministry of Home Affairs started in 2012 with the consultation of stakeholders including CSOs for the design of the Work Plan.
- The Foundation Ilse Henar - Hewitt Juridische Bijstand voor Vrouwen has participated in the evaluation and design of several plans, but not on a structural basis.

31. **CEVI Recommendation 21: Cooperation with the media and advertising agencies on national plans on violence against women:** In Suriname, efforts are also made to incorporate the media into national plans on violence against women through the broadcasting of television programmes on issues of violence against women. Additionally, television stations were requested to broadcast movies/documentaries with the theme of violence against women to help raise awareness of the issue.

#### **Basic financial context and budget compromises/commitments**

32. Suriname provided no information in relation to budgetary commitments.

#### **State capabilities**

33. In Suriname the state exhibit considerable capacity in addressing violence against women in various ways including:

- In 2012, several ministries conducted activities to increase awareness and promote prevention campaigns on Gender Violence during the Sixteen (16) Days of Activism (November 25<sup>th</sup> to December 10<sup>th</sup>).
- Additionally, monitoring and evaluation of the Integral Gender Action Plan is done by the monitoring group. The monitoring group consists of representatives of the Ministries of Justice and Police, Health, Planning, Home Affairs, Labour, and 2 representatives of NGO's
- Free legal services to anyone who request for support is provided by the Bureau Legal Aid of the Ministry of Justice and Police.
- There is one crisis (government) shelter for female victims of domestic violence and their children up to the age of 12. The maximum stay is 3 months.

34. Other initiatives to promote awareness on violence against women were conducted in Suriname, these included essay competition, drawing competition and theatrical performance. However, the report does not state which agency or organization conducted the activities.

### **III. ACCESS TO JUSTICE ARTICLES 7 d), & 8 c) & d)**

#### **Formal Component (Reception of the Right)**

35. The existence of legislation on protective measures at the request of the victim or third party is addressed in Suriname through the Law on Combating Domestic Violence and the Law on Stalking. Additionally, there is no policy to train personnel regarding violence against women.

36. No other information is provided in relation to the conduct of studies on the use of Belem do Para and other international standards relating to violence against women, or the conduct of studies on judgement and stereotypes etc.
37. No information was provided on the mechanism to ensure compliance with protection orders.

#### **Basic financial context and budget compromises/commitments**

38. Suriname provided no information in relation to budgetary commitments.

#### **State capabilities**

39. Police Stations (since 1997 equipped with special rooms for victims of domestic violence) are located in each district to address complaints; however, the exact numbers and location were not stated.
40. Civil servants and public officials have been trained on issues regarding violence against women, but information on the numbers is not available.

#### **IV. INFORMATION AND STATISTICS ARTICLE 8 h)**

##### **Reception of the right**

41. **CEVI Recommendation 37:** There was no information available on Suriname's inclusion of research and studies on violence against women in national plans. The budget allocated, dissemination and promotion of the results, and inclusion of civil society in this regard is also therefore unknown.
42. **CEVI Recommendation 38:** In terms of Suriname's obligation to conduct regular surveys on different manifestations of violence against girls and women, the government, in collaboration with UNICEF, carried out a Multi-Indicator Cluster Survey 4 (MICS4) in 2010 on attitudes towards domestic violence. The MICS4 assessed the attitudes of women age 15-49 years towards wife/partner beating in a variety of scenarios. Respondents were also asked if husbands are justified in beating their wives/partners in a variety of scenarios. The intention of asking such questions was to reveal the cultural beliefs that tend to be associated with the prevalence of violence committed against women by their husbands/partners. The main assumption driving the study was that women agree with the statements that indicate husbands/partners are justified in beating their wives/partners, because in reality, these women tend to be abused by their own spouses.
43. **CEVI Recommendation 39:** No information was provided on Suriname's obligation to keep administrative records on the different cases of violence against girls and women in

its various forms. There was also no information on regulation to appoint a competent authority for coordinating efforts to ensure complete administrative efforts.

44. **CEVI Recommendation 40:** No information was provided on the collection of public information on the number of women victims of violence, prosecutions for violence against women, convictions for violence against women, victims of femicide and convictions for femicide.
45. **CEVI Recommendation 41:** The Department of Information Gathering of the Corps Police Suriname generates statistics on the basis of complaints registered at police stations. However, it is not known if the data is disaggregated by age, civil status and geographic location. At the national level, the General Bureau for statistics produces a report on gender statistics every two years, using the data compiled by the Corps Police.
46. **CEVI Recommendation 42:** No information was available on if there were rules that established proper coordination between national statistics agencies and women's institutes.

#### **Basic Financial and Budgetary Commitments**

47. No information was provided on the budgetary allocations for specific laws, neither was there information on national budget law that had earmarks for meeting information production obligations. No information was provided for the number and characteristics of civil society organisations involved in budget oversight initiatives and budget execution either.

#### **State Capacities**

48. No information was provided on whether there existed agreements or cooperative ties between the national women's mechanism (or the competent authorities in the area of violence) and the national agency responsible for the official statistics used to produce quality information on different forms of violence against girls and women. However the Department of Information Gathering of the Corps Police Suriname does produce statistics on different forms of violence based on the complaints registered at police stations. In addition, the General Bureau for Statistics produces gender statistics every two years, compiled from data supplied by the Corps Police. The data includes the number of persons by age group and sex who were taken into custody, and is then filtered by type of crime, among other variables.
49. In terms of the existence of specialised mechanisms of producing information, studies and statistics, the National Bureau for Gender Policy (a department within the Ministry of Home Affairs) has the responsibility of carrying out studies and research projects. Currently, the bureau is conducting research on the nature and causes of violent behaviour among male perpetrators of intimate partner violence in the Nickerie district. Furthermore, the Ministry of Justice and Police – through the Bureau for Women and

Child Policy – is currently implementing research on the need to set up centres for victim aid for indigenous and maroon women.

50. There was no information provided on the existence of studies on sentences and opinions that contain stereotypes, prejudices, myths and customs in the cases of women who were victims of violence; or the use of the victim's personal or sexual experiences to deny her justice. No information was available either on the existence of mechanisms for access to updated statistical information, or the mass dissemination of national statistics on violence against women.
51. While no information was available on whether or not civil society organisations had requested access to public information on sexual violence, some did conduct studies of their own. For example, the Foundation Ilse Henar-Hewitt Juridische Bijstand voor Vrouwen conducted an inventory study in May 2013 on the improvement of care services to victims of domestic violence in Paramaribo. The UNFPA Suriname also conducted a qualitative study in 2010 on violence, sexual and reproductive rights, and health. Others have presented parallel reports to international oversight agencies in connection to the right to a life without violence.

## **DIVERSITY – ARTICLE 9**

### **Reception of the right**

52. In terms of meeting the requirement for a law or national policy that guarantees a life without violence, that also addresses ethnic diversity, Article 8.1 of the Constitution of Suriname guarantees that “all who are within the territory of Suriname have an equal claim to protection of person and good.” Article 9 further states that “everyone has the right to physical, mental and moral integrity and no one shall be subjected to torture, degrading or inhuman treatment or punishment.” However, these two provisions may not be specific enough to address ethnic diversity and ensure inclusion of women and marginalised groups.
53. There is no law that addresses or includes the right of gender identity, sexual identity and sexual diversity in any of Suriname's laws. In addition, there is no law or national policy that actually guarantees a life without violence for girls and women with physical or psychosocial disabilities; persons with mental health issues; or girls and women who are migrants, displaced or deprived of their freedom. As mentioned in Articles 8.1 and 9 previously, the Constitution does not discriminate against these persons; but the law does not specify that provisions be made for them, especially in terms of the Belém do Pará Convention. Furthermore, there are no sanctions or regulations that impose sanctions for public officials and educators who use sexual violence against indigenous, rural female students. At present, however, the Ministry of Justice and the Police is currently implementing project research in the need to establish centres for victim aid for indigenous people and maroons.

54. Suriname also has not incorporated the principles and processes of indigenous justice; or acknowledged intercultural citizenship or considered indigenous communities' rights to their practices and knowledge.

55. In terms of the number and characteristics of civil society that are involved in the design, enforcement and monitoring of agencies, there is no information available.

### **Basic Financial Context and Budgetary Commitments**

56. No information was provided.

### **State Capacities**

57. No information was provided by Suriname on the existence of protocols for comprehensive attention to cases of violence against women, that were prepared in different languages and in a format accessible to differently-abled groups. There was also no information on the design and implementation of mechanisms for the incorporation of principles and processes of indigenous justice that met provisions in the Convention. The inclusion of civil society in design, enforcement and monitoring agencies is also unknown.

## **PREVENTION AND COMMUNICATION STRATEGIES USED TO EDUCATE AND CHALLENGE THE GENDER STEREOTYPES THAT DRIVE VIOLENCE AGAINST WOMEN**

58. Awareness campaigns to disseminate information on women's rights, vis-a-vis Belém do Pará, using regional and national television and radio stations.

- The Ministry of Justice and Police held an awareness campaign to combat domestic violence, using television broadcasts, billboards and posters.
- The Ministry of Home Affairs launched a television programme, in which priests of different religions and from 6 different districts shared their views on violence against women. It was broadcast for 16 days; and in addition, television stations were requested to broadcast movies and documentaries with the theme of violence against women.
- In addition to television and radio, creative arts were used to build awareness by involving young people. An essay competition was also held that targeted students of senior secondary schools in Paramaribo and Wanica, under the theme "From Peace in Home to Peace in Suriname: Protest and Make an End to Violence Against Women." A drawing competition was held for the junior secondary schools in Nickerie under the same theme. Theatrical performances were held in Wanica under the theme "Violence Against Women is a Violation of Human Rights." These performances encompassed the themes of domestic violence, sexual harassment, trafficking and forced prostitution.

- Training to various occupational groups on violence against women and women's rights, with the convention as a framework.
- Preparation of information documents in native languages to reach target groups effectively.