



**Convention on the
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COMMITTEE ON THE RIGHTS OF THE CHILD

Twenty-fourth session

SUMMARY RECORD OF THE 635th MEETING

Held at the Palais Wilson, Geneva,
on Monday, 22 May 2000 at 10 a.m.

Chairperson: Ms. OUEDRAOGO

CONTENTS

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES (continued)

Initial report of Suriname

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The meeting was called to order at 10 a.m.

CONSIDERATION OF REPORTS OF STATES PARTIES (agenda item 4) (continued)

Initial report of Suriname (CRC/C/28/Add.11; CRC/C/Q/SUR/1; written replies of the Government of Suriname to the questions raised in the list of issues (document without a symbol distributed in the meeting room in English only)

1. At the invitation of the Chairperson, Mr. Vreedzam, Ms. Pawironadi-Dasi and Mr. Verwey (Suriname) took places at the Committee table.
2. Mr. VREEDZAM (Suriname) said that, although Suriname had ratified the Convention on the Rights of the Child in 1993, it had taken numerous measures on behalf of the survival, protection and development of children long before that date. Eager to base its action on scientific research, the Government had launched two projects, which it was carrying out in close cooperation with the United Nations Children's Fund (UNICEF). The first attempted to establish a full system of statistical data on the health and well-being of children, with a view to realizing the goals of the National Plan of Action for Children and of the World Summit for Children. UNICEF had requested Suriname to share with other Caribbean countries the expertise it had acquired during the implementation of the project. The second project envisaged the establishment of a child indicators monitoring system, particularly for children from vulnerable groups, which should contribute to the formulation and application of appropriate policies and measures.
3. Despite their social and cultural differences, the Surinamese had a common vision for the protection and development of children. The initial report was the culmination of a long debate in which governmental bodies, non-governmental organizations (NGOs) and other private institutions had participated. The Government had always favoured collaboration with the private sector, based on mutual respect and good faith, and believed that activities undertaken at the local level brought the most lasting results. It likewise favoured the direct and indirect participation of children. The National Youth Council, whose members—girls and boys aged 12 to 18 years—were elected by children, had been established in November 1999.
4. Mr. FULCI noted with satisfaction that the initial report had been formulated in accordance with the Committee's general guidelines, and that the information it contained was roughly the same as that provided by other sources, among them UNICEF.
5. The report focused too closely, however, on programmes and measures, particularly legislative ones, adopted by the State party, and paid little attention to their implementation. Nor did it include any critical evaluation whatever. Certain obstacles, such as the political instability of the 1980s and the economic crisis of the 1990s, whose effects had been exacerbated by the imposition of austerity measures by the International Monetary Fund (IMF), had naturally hindered the application of the Convention. In his view, other measures might nevertheless have been taken to guarantee and promote respect for children's rights, in particular street children, child victims of violence and drug abuse, adolescent mothers, juvenile delinquents, disabled children and native children. Furthermore, the report and the written replies contained no disaggregated statistics. Under such conditions, it was difficult to get a full picture of the situation of children in Suriname.
6. At the time the report was being formulated, the National Commission on the Rights of the Child, established two years after the ratification of the Convention to monitor its implementation, had been finalizing a national plan of action. Unfortunately, its activities had been hampered by a lack of

coordination among the various ministry departments, and between ministries, inadequate data collection, and the lack of an appropriate follow-up mechanism, in particular an independent mechanism empowered to handle complaints from children. According to information from UNICEF, the Commission's mandate would expire before most of its proposed programmes could be launched.

7. The report contained insufficient information regarding bilateral and international cooperation and its effects on the implementation of the Convention. Not enough was known about the conditions under which NGOs and other elements of civil society had participated in the formulation of the report or about the manner in which the media contributed to the dissemination of the Convention. It would also be useful to know whether the Convention had been translated into local languages.

8. Ms. RILANTONO requested the State party to provide fuller information on the implementation of national youth policy and the creation of the governing body and national council for youth. She was under the impression that not enough attention was paid to allocating all requested budgetary resources for activities for children.

9. Mr. DOEK inquired whether it was true that the National Commission on the Rights of the Child would not be replaced. Noting that the State party had indicated that there was no national human rights body, he wondered to what institution the Committee on Economic, Social and Cultural Rights had been referring when it had applauded the creation of such a mechanism in 1995. He would also like to know whether the NGO *Moiwana '86* was permitted to make recommendations to the Government regarding the rights of children.

10. He would like to know, moreover, whether the legislation recently adopted regarding children born out of wedlock dealt only with the matter of inheritance, and what were the obligations of fathers concerning maintenance for their children. Finally, he would like to know what measures the Government had taken to ensure that customary regulations regarding marriage, especially those applicable to the Asian community, did not contravene the provisions of the Convention.

11. Ms. TIGERSTEDT-TÄHTELÄ requested to know the goal, and the implementation timetable, of the national youth policy, and inquired whether sufficient resources had been made available to pay for the planned programmes. She would welcome clarifications regarding the portion of the budget devoted to health, education and the well-being of children; she would also like to know whether the needs of the native populations inhabiting the interior were taken into consideration in the elaboration of the budget.

12. Ms. MOKHUANE asked whether all legislative provisions concerning children were grouped in a single code, and whether an independent mechanism had been set up to examine complaints lodged by children. She would like clarifications on the way in which advances made in the implementation of the Convention were evaluated and communicated to the Government: was the governor responsible at the local level?

13. It would be useful to know whether an analysis had been conducted of the impact of the structural adjustment programme imposed by IMF on children from the most vulnerable groups. She would like further information on awareness activities for the general populace as well as for persons taking care of children; she would also like to know whether the Government supported NGOs involved in implementing the Convention.

14. Ms. KARP noted that six years after the adoption of the Convention, many draft laws on children's rights had still not been considered by Parliament and that only two had become law (one of them concerning children born out of wedlock). She would like the State party to describe the nature of

the problems hampering the adoption of such draft laws, and to provide information on the National Plan of Action and the Government's youth policy, addressing as well the underlying principles of that policy. Was the Convention directly applicable in Suriname from the time of ratification or must it be incorporated into the domestic legislation to be so?

15. Had plans been made to integrate human rights and the Convention on the Rights of the Child into school programmes?

16. Suriname had indicated that the National Commission on the Rights of the Child had been unable properly to function because of an excessive workload; it would be useful to know whether the Standing Committee of the Presidency was facing the same problem. Had it received sufficient resources, and was it able to carry out its functions?

17. Mr. RABAH inquired what role was played by the NGOs that were collaborating with governmental agencies, especially away from the capital and major cities. Had NGOs participated in the formulation of the initial report of Suriname?

18. It would be useful to know whether the Surinamese authorities had considered taking measures to raise the minimum legal marriage age for girls, and, in the Asian community, for boys as well. Children 10 years of age were too young to assume legal responsibility; the age at which a person could give evidence before a court had not been indicated.

19. He would welcome additional information on the National Plan of Action for Children, and on any programmes carried out under its auspices to provide services to children, whether with direct or indirect help from UNICEF.

The meeting was suspended at 11 a.m. and resumed at 11.10 a.m.

20. Mr. VREEDZAM (Suriname) observed that amending laws and regulations passed down from the colonial age was a complex, time-consuming matter. With respect to marriage, two distinct laws were applied to Hindus and Muslims. Since the Constitution guaranteed the right of all persons to practise a religion, and since those texts, which had a religious element, established that religious dignitaries celebrated marriages in those two communities, they were difficult to amend. Early marriages were, in fact, infrequent. The great majority of parents wanted their children to attend school, and therefore the marriage laws would surely be obsolete in the next 10 or 20 years.

21. Suriname had incorporated into its Constitution an article derived from the Constitution of the Kingdom of the Netherlands, under which the directly enforceable provisions of conventions entered into force at the time of the promulgation, but not the conventions themselves. Thus, for example, all the provisions of the Convention on the Rights of the Child which established a particular right could be implemented but not the others. In the event of incompatibility between the domestic law and the directly enforceable provisions, the latter prevailed.

22. It should not be forgotten that Suriname had only recently achieved independence and that the work it had to do in the legislative domain was immense. The executive power had submitted a number of bills, but could not pressure the legislature immediately to adopt them. The Government intended to incorporate a course in human rights into school curricula, but was obliged to wait until Parliament had time to consider that question.

23. Suriname did not have a national human rights institution, properly speaking. A national human rights committee had existed in the past, but the adviser to the Ministry for Justice, who was working on

the formulation of a constitutional code, had determined that once the code was adopted, such a committee would no longer have a reason to exist, and unfortunately the committee had been eliminated. Outstanding work had nonetheless been done by the NGO *Moiwana '86*, which investigated human rights abuses and brought them to the attention of the authorities.

24. The lack of schools in the interior was partly attributable to the rejection of local traditions and culture, an attitude assumed in the past by the Church during its school enrolment and evangelical campaigns, and which had met with hostile reactions. Although it supported all schools as an investment in the future of the country, the Government now wanted as many non-denominational schools as possible.

25. The age of criminal responsibility also dated from the colonial period. A law guaranteeing the protection of minors in criminal matters predated independence. Children under the age of 10 in conflict with the law could not be prosecuted. The Criminal Code provided that they should be brought before a judge, who would reprimand them and turn them over to their parents. Children 12 years and older could be prosecuted. The judge could hand down a prison sentence, which would, in any event, be lighter than the usual sentence. Suriname was aware that, under the terms of the Convention, the age of criminal responsibility was too low; the authorities wished to review that legislation with a view to updating it.

26. The Convention on the Rights of the Child had been published solely in English. Although there was an unpublished version in Dutch, the Convention had not been translated into any of the minority languages. Many Surinamese were nevertheless aware of its existence as a result of information campaigns and by word of mouth.

27. Mr. VERWEY (Suriname) pointed out that after the disbanding of the National Commission on the Rights of the Child, which had operated for two years, the Government had decided that all concerned ministries should assume responsibility for the implementation of the Convention in their areas of competence. Created in 1998, the Standing Committee of the Presidency had been given a broader mandate: to formulate a national youth policy that would ensure the survival, development and protection of children, guarantee the participation of youth in areas of importance to them, and study ways and means of establishing a permanent mechanism to ensure the participation of youth. In the formulation of that policy, the Standing Committee had consulted governmental, non-governmental and private organizations working in the area of children. The proposal that had emerged from those consultations had recently been submitted to the President.

28. A support mechanism had nonetheless been retained after the dismantling of the National Commission on the Rights of the Child: the Office for Children's Rights, which had become the National Office for Children's Rights. Measures were being taken in close cooperation with UNICEF to strengthen that mechanism, which would subsequently be requested to monitor the implementation of the Convention on a regular basis. Also important was the decision in March 1999 by the Council of Ministers to hold a national day for children's rights yearly on 20 November, and to call on the National Office for Children's Rights to formulate, for that occasion, an annual report on the situation of children's rights in the country.

29. Two structures had been created within the context of the National Youth Institute: one for ages 12 to 17, the other for ages 18 to 25. Those two branches of the National Youth Institute held public meetings open to all on topics chosen by them or proposed by a member of the public.

30. The Council of Ministers had decided in 1997 that the annual national budget should be allocated in the following way: 50 per cent for the productive sector, 25 per cent for infrastructure, and 25 per cent

for the social sector (including education, health and general social protection). Five per cent of the funds for the social sector were earmarked for education. But Government officials had noted that for every gilder invested, 80 cents were absorbed by overheads, leaving an unacceptably small sum for investment in children, women and other persons needing assistance.

31. Within the context of the various cooperation programmes, in particular the UNICEF programme, the Government could raise funds to finance various activities. Those projects had resulted from talks between the public authorities and national NGOs. They were submitted to UNICEF for consideration and approval, and then carried out by the authorities. However, there too the same sort of problems arose: namely, that a significant portion of the funds was allocated to such areas as institution-building and capacity-building, which had no direct bearing on the population, in particular children. That matter was on the agenda of an evaluation meeting between government leaders and UNICEF scheduled for July 2000.

32. The CHAIRPERSON remarked that a number of specific questions had not been answered and invited members of the Committee to discuss general principles and civil and political rights.

33. Ms. RILANTONO, noting with concern that girls were expected to assume domestic responsibilities at a younger age than boys, inquired whether that phenomenon was attributable to cultural factors, and if so, what measures the Government was taking to change that situation. Pointing out, as well, that more boys than girls were enrolled in primary school, she inquired what the Government was doing to redress that problem.

34. The information provided on the right to life was insufficient. Even more worrisome, however, was the exodus of qualified personnel, especially in the area of health. That situation clearly had an impact on the right to life and on the survival of children. What measures had the Government undertaken thus far to halt the brain drain?

35. With regard to the views of the child, a minimum age of 12 had been reported. What was the justification for such a limit? Was it attributable to traditional or cultural practices, and if so, what were those practices?

36. Ms. TIGERSTEDT-TÄHTELÄ asked whether the Suriname Government planned to increase the portion of the national budget allocated to the social sector, with a view to furthering the implementation of the economic, social and cultural rights of children under the Convention. She would also like to know whether local groups had their own financial resources or received funding from the State. If they did receive State funding, she would like to know on what basis such resources were shared out at the central and local levels. Finally, had measures been taken to ensure the participation of children at the local level?

37. Mr. DOEK, noting with concern that, according to the initial report, Surinamese children were not encouraged to express themselves at home or at school, and that their elders regarded those who expressed themselves anyway as rude or impertinent, inquired how the authorities planned to change those attitudes.

38. He would like clarifications on the nature of the draft law on the right of access of divorced parents, in particular, whether it contained provisions on methods for ensuring the implementation of decisions handed down by the courts. In that regard, he would like to know who had recourse to the Ilse Henar Hewitt Office for Women's Rights, and what person was responsible for matters of that kind, referred to in the written replies to question No. 8 of the list of issues. He would also like to know whether the draft law on hearings for children over the age of 12 during judicial proceedings that involved

them personally also applied to other procedures, such as divorce, and whether, in those cases, the judge was required to hear the views of the child.

39. The written replies indicated that detained minors who were victims of police brutality could lodge a complaint, and, if they contested the decisions handed down by the disciplinary and administrative bodies, could, as a last resort, appeal to the office of the procurator. In view of the fact that children throughout the world often feared the repercussions of a complaint, he would like to know how that procedure was facilitated.

40. What measures did the Government envisage to redress the flaws in the civil registration system, in view of the fact that, since 1995, only 9 births in 10 had been registered on average, and that under-registration was especially severe in the interior?

41. Ms. KARP asked whether, in view of the delay that had occurred, the Government had means of accelerating the adoption, by Parliament, of the draft law which would incorporate the provisions of the Convention into domestic law.

42. What measures did the Government envisage, especially in the disadvantaged, poverty-stricken regions of the interior, with a view to ensuring equal opportunities for children and to eliminating all forms of discrimination against them? Did the Government of Suriname plan to amend the law governing marriage in the Asian community, raising the minimum legal age for marriage?

43. The closing of the Crisis Centre for Sexually Abused Children was disturbing, since it had constituted a significant advance. She would like to know whether the Government planned to reopen that indispensable institution.

44. She would also like to know whether the draft law on hearings for children during judicial proceedings that concerned them personally was limited to divorce cases.

45. With respect to the physical integrity of the child, she would like to know whether acts of police brutality had been punished by the courts and what measures had been taken to prevent police from engaging in such behaviour. In that regard, did the Suriname Government plan to ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment?

46. It would be useful to know whether complaints had been lodged against teachers for corporal punishment and, if so, whether they had led to disciplinary or criminal sanctions. Although directives of the Ministry of Education dating from the 1940s and 1950s prohibited such brutal acts, a law should be adopted for that purpose. Statistics on the use of corporal punishment in the home would also be helpful; in that regard, she would like to know whether the Government envisaged a legal prohibition on that practice.

47. Mr. RABAH said he would welcome clarifications on coordination between governmental bodies and NGOs. A single minimum legal age for marriage should be set, in order to eliminate discrimination against children on the basis of religion.

48. He would like to know whether the Government intended to replace Dutch with Sranan Tongo—which was spoken by the majority of the Surinamese population along with other local languages—as the language of instruction in schools and universities in Suriname.

49. Had the notion of a children's parliament been introduced in Suriname? If not, such a project might be launched within the context of the Day of the Child, as might a project designed to promote the participation of children at the municipal level.

50. Ms. MOKHUANE inquired to what degree the hearings for children could be expected to promote and protect a child's best interests, and his well-being within the family.

51. Mr. VREEDZAAM (Suriname) said that the Government was striving to establish civil registry offices in the interior of the country; in the interim, all births could be registered at other public facilities, such as police stations and hospitals. The disadvantaged situation of children in the interior, relative to the rest of the country, was largely attributable to certain cultural factors.

52. Most of the provisions of the Convention had their counterpart in the Suriname Constitution. If necessary, however, the Government could promote the adoption of a specific law, as in the case of the draft law amending the Civil Code with a view to eliminating discrimination in inheritance between children born to married parents and those born out of wedlock. The Government had envisaged undertaking a review of Surinamese legal texts with a view to determining whether they were compatible with the provisions of the Convention—which was apparently not the case with the law governing marriage in the Asian community. The Government endeavoured to promote the education of both girls and boys, and minors enrolled in school were not permitted to marry.

The meeting rose at 1 p.m.