

SURINAME 2018 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 in 2015. International observers considered the legislative elections to be free and fair. In 2015 the assembly elected Desire (Desi) Delano Bouterse to a second consecutive term as president.

Civilian authorities maintained effective control over the security forces.

Human rights issues included corruption, trafficking in persons, violence and abuse against women and children, use of child labor, and criminal defamation laws, although there were no prosecutions during the year.

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. Observers nonetheless expressed concern that high public officials and security officers had impunity from enforcement.

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.

There were developments in the trial of former military dictator and current President Bouterse and codefendants for the 1982 extrajudicial killing of 15 political opponents. The prosecution recommended 20-year sentences for nine defendants, including lead suspect Bouterse, a 10-year sentence for one defendant, and acquittal for nine defendants. Both prosecution and defense provided final rebuttals, arguments, and statements. At year's end the case awaited the verdict and sentencing by the judges.

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.

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.

Prison and Detention Center Conditions

Prison conditions generally met international standards, but there were numerous problems in the country's 26 detention centers.

Physical Conditions: In prisons there were no major reports of 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. Each facility had its own rules. Police officers were 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 medical protective gear to handle detainees in need of medical attention. There were reported cases of communicable diseases in detention facilities.

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 proper investigations of credible allegations of mistreatment. Government officials continued regular monitoring of prison and detention center conditions.

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 for his or her arrest or detention in court, and the government generally observed these prohibitions.

Role of the Police and Security Apparatus

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 the maintenance of law and order and report to the Ministry of Justice and Police. Police effectiveness was hampered by a lack of equipment and training and by low salaries. 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. Although the government continued to take steps to prosecute abusers in the security forces, observers nonetheless expressed concern that high-ranking public officials and security officers had impunity from enforcement.

The Personnel Investigation Department (OPZ), an office within the Police Department, investigated complaints filed by citizens against members of the police force. The Internal Affairs Unit (ITZ) investigated allegations of misconduct by members of the police force. Military police and the judge advocate investigated offenses committed by soldiers.

As of September the OPZ received 94 complaints from private citizens against members of the police force, 21 of which contained allegations of threats, firearm violence, abuse of authority, and sex crimes. By the same date, the ITZ conducted investigations in 140 cases involving various forms of misconduct. Three cases resulted in the firing of police officers.

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 arrest. Courts generally met the seven-day deadline. Authorities promptly informed detainees of the charges against them. 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 received prompt access to counsel of their choosing, but the prosecutor may prohibit access if the prosecutor believes access could harm the investigation. Legal counsel was provided at no charge for indigent detainees. Detainees were allowed weekly visits from family members.

Pretrial Detention: Lengthy pretrial detention was a serious problem, caused by an insufficient number of judges available to hear cases. While some progress was made in bringing criminal cases to trial, detainees often served the majority, if not all, of their sentences, before trial was completed.

e. Denial of Fair Public Trial

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

Human rights activists complained that there was no effective remedy for constitutional violations, as a succession of governments failed to install a constitutional court as mandated by the constitution.

According to the interim president of the Court of Justice, the country had only 19 of the 40 judges needed for the proper functioning of the judicial system. The government approved the appointment of seven new judges, who were to be sworn in in January 2019. Despite the shortage of judges, the court made significant progress in processing of cases, including appeals cases.

The judiciary hired additional court clerks and administrative staff to improve its administrative functioning. In January a newly renovated court building opened,

and all three court buildings were operating at full capacity. The court launched an automation project intended to include the digitizing of all rulings and the launch of a website for educational purposes and publishing rulings. The Attorney General's Office launched a training course for additional assistant prosecutors during the year.

Trial Procedures

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

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.

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 (IACHR). The IACHR 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

The law prohibits such actions, and there were no reports that the government failed to respect these prohibitions.

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.

Press and Media Freedom: 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.

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

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

Censorship or Content Restrictions: Media members reported continued self-censorship in response to alleged pressure from government officials or

government-affiliated entities on journalists who published negative stories about the administration. Nonetheless, the press carried articles critical of the government on a daily basis. Additionally, many news outlets retained affiliations with particular political parties that could bias reporting.

The generally low wages for journalists made them vulnerable to bias and influence, which further jeopardized the credibility of reporting. Independent media faced competition for qualified journalists. The government's media office, as well as the private sector, hired journalists away from independent media outlets, offering them higher wages. This practice made it difficult for independent media to retain qualified staff and impeded their ability to report adequately on government activities.

In May the Suriname Association of Journalists expressed its concerns about the centralization of information by the government, which limited the press in its ability freely and independently to gather news. Following the introduction of the centralized system in 2017, government officials and entities avoided direct contact with the press.

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. There were no reports of cases involving defamation during the year.

Internet Freedom

There were no government restrictions on access to the internet, and the government asserted that it did not monitor private online communications without appropriate legal oversight. Nevertheless, journalists, members of the political opposition and their supporters, and other independent entities perceived government interference or oversight of email and social media accounts.

Internet access was common and widely available in the major cities but less common in remote areas, with limited bandwidth and often limited or no access to electricity. According to the International Telecommunication Union, 49 percent of citizens used the internet in 2017.

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.

Freedom of Peaceful Assembly

In contrast with 2017, there were no violations of the freedom to peaceful assembly during the year.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at 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.

The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) in providing protection and assistance to refugees and asylum seekers.

Protection of Refugees

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.

The Red Cross Suriname was the local point of contact for those filing for refugee status with UNHCR.

In March the Ministry of Justice and Police passed a resolution that sets forth procedures for the formal processing of aliens filing for protective or refugee status and formalizes cooperation with the Red Cross as the UNHCR representative.

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 continues to be subject to the previous citizenship rules. Thus, children born before September 2014 in undocumented Brazilian-national mining communities or to foreign women in prostitution become eligible to apply for citizenship only at the age of 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

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. After legislative elections in 2015, the National Assembly re-elected Desire Bouterse as president in 2015. Observers from the Organization of American States and the Union of South American States judged that the elections were well organized and generally free and fair.

Participation of Women and Minorities: No laws limit participation of women and minorities 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 generally implemented the law effectively. Officials sometimes engaged in corrupt practices with impunity. There were numerous reports that officials engaged in corrupt practices, including accusations from political opponents and official investigations of graft.

Corruption: Allegations of corruption remained prevalent as the economy stabilized. Allegations included government contracting to political party insiders and supporters. There continued to be questions regarding the transparency of government decisions to issue mineral and timber concession rights. There was a continuing widespread perception that officials used public power for private gain. Civil society, media, and other nongovernmental parties particularly scrutinized and criticized the Ministries of Public Works, Social Affairs, Public Health, Finance, Regional Development, and Physical Planning, alleging widespread corruption and favoritism.

In July the attorney general announced that his office was investigating six suspected corruption cases, including an after-school program in which numerous close allies of the government were alleged to have overcharged the government for food delivered to schools. A 2015 case involving corruption at the Electricity Company of Suriname, a state-owned entity, continued before the court. Five persons were on trial in that case.

Financial Disclosure: The anticorruption legislation approved in 2017, but yet to be signed into force, includes financial disclosure requirements for certain groups of government officials.

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 between 12 and 15 years' imprisonment and fines up to 100,000 Surinamese dollars (SRD) (\$13,300). The government enforced the law effectively, including applying its provisions in cases involving rape of men. Police received 513 reports of sexual abuse as of September. Authorities investigated and prosecuted all reported cases.

Violence against women remained a serious and pervasive problem. The law imposes sentences of four to eight years' imprisonment for domestic violence. Through September police reported to have received 102 cases of domestic abuse, compared with 421 for the same period in 2017. Domestic abuse played a role in four of the 18 homicides committed through September; prosecutions were pending.

The Victim Assistance Bureau of the Ministry of Justice and Police provided resources 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 and served an average of 40 clients per year. The Office for Gender Affairs of the Ministry of Home Affairs launched an awareness campaign in May against domestic violence nationwide.

Sexual Harassment: There is no specific legislation on sexual harassment, but prosecutors cited various penal code articles in filing sexual 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 the filing of 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 fines from SRD 50,000 to SRD 150,000 (\$6,650 to \$19,950).

Coercion in Population Control: There were no reports of coerced abortion or involuntary sterilization.

Discrimination: The law provides for protection of women's rights 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. In August the National Assembly passed labor legislation that protects pregnant women from being fired.

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 47 cases of physical abuse and 256 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 cooperating with the government in providing 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.

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 below 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 prosecuted 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 age 18. Criminal law penalizes persons responsible for recruiting children into prostitution and provides penalties of up to six years' imprisonment and a fine of SRD 100,000 (\$13,300) for pimping. The law also prohibits child pornography, which carries a maximum penalty of six years' imprisonment and maximum fine of SRD 50,000 (\$6,650). 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, 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.html>.

Anti-Semitism

There was a declared Jewish community of approximately 150 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 www.state.gov/j/tip/rls/tiprpt/.

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. Primary education was available for persons with disabilities and, depending on the type of disability, secondary and higher education were also available. There was secondary and technical education for deaf and hard-of-hearing persons but not for those with visual disabilities. Persons with disabilities are eligible to receive a stipend from the government until they marry or turn 60. The Ministry of Social Affairs is responsible for protecting the rights of persons with disabilities.

In October the Ministry of Social Affairs supported an NGO-led workshop on developing awareness for the UN Convention for the Rights of Persons with Disabilities, as well as identifying issues of concern.

Indigenous People

The law affords no special protection for, or recognition of, indigenous peoples. The 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 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, some of whom were themselves tribal or supported by tribal groups, dug trenches that cut residents off from their agricultural land and threatened to drive them away from their traditional settlements. 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 villages from engaging in their traditional activities on those lands.

In July the government translated and published the summary of the *Kalina and Lokono Peoples vs. Suriname* Inter-American Court of Human Rights ruling announced in 2015. The court declared the state responsible for violating the rights to recognition of juridical personality, to collective property, to political rights, and to cultural identity, and reminded the state of its duty to adopt appropriate domestic legal provisions. The court ordered the government to recognize the Kalina and Lokono collective juridical personality legally; delimit, demarcate, and title the territory to the peoples; establish a community development fund; and rehabilitate areas affected by mining by third parties. The court also ordered similar legislative changes to be made for recognizing the rights of all indigenous and tribal peoples and to have this effective legal recognition and protection within three years. As of October the government had not taken action to carry out the court's orders. The final deadline for the government to implement the ruling was January 2019.

The government also took no action to implement precautionary measures requested by the IACHR in 2016 regarding a 2009 petition from the Kalina

Indigenous Community of Maho. In 2014, despite the continuing litigation, the government continued to grant concession rights to third parties in the area of the Maho community. In 2016 the Maho community requested that the IACHR forward the case to the Inter-American Court of Human Rights. Throughout the year the community continued to report infringements on its lands.

Acts of Violence, Discrimination, and Other Abuses based on Sexual Orientation and Gender Identity

The constitution prohibits many forms of discrimination but does not address sexual orientation or gender identity. Lesbian, gay, bisexual, transgender, and intersex (LGBTI) individuals could associate freely, were socially very active, and advocated within society under the same laws that pertain to the assembly and association of other groups. 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 was in effect but had not been used in any case.

The LGBT Platform, a collective of NGOs, reported improvements in acceptance of the LGBTI community by society. Despite legal protections, the government itself discriminated against same-sex couples, since 2014 legislation 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.

There were few official reports of violence against LGBTI persons, primarily due to fear of retribution 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.

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 was ongoing.

HIV and AIDS Social Stigma

Persons with HIV/AIDS continued to experience discrimination in employment 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

Chinese shop owners continued to be targets of violent armed robberies. Violence in the gold-mining 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 is effectively responsible for enforcing laws related to freedom of association and the right to collective bargaining. Penalties for violations of these rights range from six months' imprisonment to fines of SRD 100,000 (\$13,300) and were generally sufficient to deter violations.

Workers formed and joined unions freely and exercised their right to strike. During the year there were several strikes of government workers to either force implementation of contracts already agreed upon with the government or to demand wage increases.

The majority of trade unions have some affiliation with a political party. Some trade union leaders held high-level positions in the coalition government, while another trade union was associated with an opposition 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 in order 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

The law prohibits all forms of forced or compulsory labor. Administrative penalties for violations include imprisonment and fines insufficient to deter violations. Criminal penalties for violations range from five to 20 years' imprisonment. Labor inspectors received training on detecting forced labor. During the year the Labor Inspectorate reported that it investigated at least three alleged forced labor cases. 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/j/tip/rls/tiprpt/.

c. Prohibition of Child Labor and Minimum Age for Employment

The law prohibits the worst forms of child labor and sets the minimum age for most types of employment at 14 and restricts working hours for minors younger than 14 to day shifts, but it does not limit the number of hours minors can work. The law permits children younger than 14 to work only in a family-owned business, small-scale agriculture, and special vocational work. The law requires children to attend school until they are at least age 12, but this leaves children between ages 12 and 14 particularly vulnerable to the worst forms of child labor, as they are no longer required to attend school, but they are not yet legally permitted to work. The law prohibits children younger than 18 from doing hazardous work, defined as work dangerous to life, health, and decency. The law does not permit children younger than 15 to work on boats. Authorities may prosecute parents who permit their children to work in violation of labor laws. Employing a child younger than 14 is punishable by fines and imprisonment. While such penalties generally were sufficient to deter violations, authorities rarely enforced them, typically responding only when a report was filed with Youth Police.

The Ministry of Labor's Department of Labor Inspection did not identify any cases of child labor in the formal business sector during the year. The police are responsible for enforcement in the informal sector and enforced the minimum working age law sporadically. Resources, such as vehicles and manpower, to enforce the laws also remained inadequate.

Child labor remained a problem in the informal sector and, according to newspaper reports, grew during the year due to lack of economic opportunities in the country. Historically, child labor occurred in agriculture, logging, fisheries, and the construction sector, as well as in street vending. Isolated cases of child labor occurred in the informal gold-mining sector in the interior, informal urban sectors, and in commercial sexual exploitation (see also section 6, Children).

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* www.dol.gov/ilab/reports/child-labor/findings/.

d. Discrimination with Respect to Employment and Occupation

The law prohibits discrimination 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. 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.

e. Acceptable Conditions of Work

The law provides for a national minimum wage. The minimum wage was SRD 6.14 (\$0.82), which was below the World Bank poverty income level. In the private sector, most unions were able to negotiate wage increases.

Approximately 41,000 of the estimated 133,000 total formal workforce were employed by the government. 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 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. The government sets occupational health and safety standards, which generally are current and appropriate for the main industries in the country.

Laws were effectively enforced only in the formal sectors. Inspectors in the Occupational Health and Safety Division of the Ministry of Labor are responsible for enforcing occupational safety and health regulations, but they did not make regular occupational safety and health inspections. The Department of Labor Inspection is responsible for enforcing labor laws. Penalties for violating the labor laws vary from fines to suspension of business licenses, depending on the severity of the case, and were sufficient to deter the worst violations.

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 occupational safety and health training in mines, construction, and public service. The majority of fatal occupational accidents took place in the mining sector.

Workers in the formal sector can 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.