SURINAME 2022 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 2020. International observers considered these elections to be free and fair. In July 2020, the National Assembly elected Chandrikapersad Santokhi as president.

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

Significant human rights issues included credible reports of: serious restrictions on freedom of expression, including enforcement of criminal libel laws; serious acts of corruption; and the existence of some of the worst forms of child labor.

The government took steps to investigate, prosecute, and punish officials who committed human rights abuses. Corruption cases were investigated, and the government implemented the laws on corruption effectively at times.

Section 1. Respect for the Integrity of the Person

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.

On July 29, the Appellate Chamber of the Court of Justice commenced the appeals

filed in the December Murders trial. Five of the seven persons convicted, including former military dictator and former democratically elected President Desire Bouterse, appealed their convictions and the sentences handed down for the extrajudicial killing of 15 political opponents in December 1982.

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, and Other Related Abuses

While the law prohibits such practices, human rights groups, defense attorneys, and media reported mistreatment by police, including unnecessary use of force during arrests and beatings of persons in detention. In June, a police officer stationed in Nickerie was detained for allegedly beating several persons during questioning.

Prison and Detention Center Conditions

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

Abusive Physical Conditions: There were no significant reports regarding prison center conditions that raised human rights concerns. Nonetheless, aging prisons required upgrades and were understaffed. Facilities lacked adequate emergency exits. Cells had individual padlocks. Some persons in pretrial detention were housed with convicts.

Overcrowding was a problem in the detention centers. Older buildings had inadequate lighting, poor ventilation, and poor sanitation, and flooding occurred in some cases. Police had no standard operating procedures for management of detention facilities. Police were assigned to detention facilities without any specialized training. Facilities lacked adequate guards, relying instead on regular-duty police when additional assistance was necessary. Officers did not have adequate personal protective health equipment to handle detainees with medical problems.

Lawyers reported on multiple occasions that their clients were denied access to medical care while in detention. These denials related both to detainees with preexisting conditions and detainees injured while in detention.

Administration: Authorities investigated 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 of his or her arrest or detention in court. The government generally observed these requirements.

Arrest Procedures and Treatment of Detainees

Police apprehended individuals openly with warrants based on sufficient evidence and brought them before an independent judiciary. The law provides that detainees should be brought before a judge within seven days to determine the legality of their arrest, and courts generally met the seven-day deadline. An assistant district attorney or a police inspector may authorize incommunicado detention. If additional time is needed to investigate a 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 depends on the type of crime committed and the judge handling the case. Detainees receive prompt access to counsel of their choosing, but the prosecutor may prohibit access if the prosecutor believes access could harm the investigation. Legal counsel is provided at no charge for indigent detainees. Detainees are allowed weekly visits from family members.

Pretrial Detention: Both the criminal and civil courts continued to experience multiple delays, prolonging the detention of those awaiting trial in criminal court.

e. Denial of Fair Public Trial

The constitution provides for an independent judiciary, and the government

generally respected judicial independence and impartiality.

There were 29 judges in the country, well short of the estimated 40 needed for proper functioning of the judicial system, and there was a significant backlog of cases. Cases both in criminal and civil courts were postponed repeatedly for various reasons, adding significantly to the backlog. In the civil courts, the backlog was estimated to be between five and six years.

Trial Procedures

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

The right to trial without undue delay was consistently under pressure due to lack of sufficient judges to process cases. Most cases, particularly high-profile cases, were processed only once per month. Additionally, cases were delayed due to insufficient staff to process cases administratively and a shortage in technical expertise in judicial investigation. Legal assistance to indigent detainees was under pressure as lawyers threatened to cease legal assistance due to a disagreement regarding payment by the government. Lawyers assigned to provide legal assistance to indigent detainees complained that the stipend provided by the government did not cover their costs to defend these detainees. Many cases requiring interpreters or psychologists were delayed due to lack of pay for those specialists.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

Individuals or organizations have the right to seek civil remedies for human rights violations in local courts. Individuals and organizations have the right to appeal decisions to regional human rights bodies; most cases are brought to the Inter-American Commission on Human Rights. The Inter-American Court of Human Rights ruled against the country in several cases, but the government only sporadically enforced parts of those rulings. In most cases, the government took

no action (see section 6, Indigenous Peoples).

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

a. Freedom of Expression, Including for Members of the Press and Other Media

The constitution provides for freedom of expression, including for members of the press and other media. While there are no formal restrictions on the press, actions by government and nongovernment actors impeded the ability of independent media to conduct their work. The government does not have laws that facilitate access to public information; access to high-ranking government officials and public information was often cumbersome.

Freedom of Expression: There were multiple arrests of persons who were openly critical of government officials, primarily the president. Different protest organizers were also detained for questioning, while disciplinary sanctions were taken against two senior police inspectors who led protests against the government.

Violence and Harassment: In July, the court sentenced the three security agents of Vice President Ronnie Brunswijk to three months' conditional release and three years' probation on charges of assault and theft, in addition to a fine for damages incurred. The three were found guilty of the December 2021 attack on journalist Jason Pinas and the theft of his cell phone.

Libel/Slander Laws: The country's criminal defamation laws carry penalties for convictions, with prison terms between three months and seven years. The harshest penalty is for expressing public enmity, hatred, or contempt towards the government. Throughout the year, persons were detained on charges of insulting the president or other government officials or for showing contempt for the government. None were convicted, and persons were in general released within

days. Critics as well as political parties outside government found these detentions to be intimidation of free speech and called for the laws to be revoked.

Internet Freedom

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

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.

c. Freedom of Religion

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

d. Freedom of Movement and the Right to Leave the Country

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

e. Protection of Refugees

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

Access to Asylum: The law provides for the granting of asylum or refugee status, and the government has a system for providing protection to refugees. The country relied on UNHCR to assign refugee or asylum seeker status.

f. Status and Treatment of Internally Displaced Persons

Not applicable.

g. Stateless Persons

An amendment in 2014 to the Citizenship Law automatically grants citizenship to persons born in the country if that person is not automatically eligible for the citizenship of one of the parents. There were reported cases of children born after 2014 to non-Surinamese parents who were denied citizenship despite the 2014 amendment. Children born prior to this amendment to undocumented parents are not eligible to receive citizenship until they turn 18. These children faced problems gaining access to various services, including education. Despite the Ministry of Education's claim that no child was denied education, there were reported cases of stateless children or children of foreign parents who continued to face problems registering in schools due to improper or incomplete residency documentation.

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. Following legislative elections in May 2020, the National Assembly unanimously elected Chandrikapersad Santokhi as president in July 2020.

Political Parties and Political Participation: The law prohibits political organizations from running on a combination ticket in elections, putting at a disadvantage smaller parties that seek to combine their strength to challenge larger parties.

Smaller parties and activists stated the registration fee for political parties to

participate in elections was an attempt to create an additional burden for smaller or less wealthy parties to take part in the elections. Nonetheless, 17 of the 20 parties that initially registered to take part in the 2020 elections were found eligible and participated.

In August, the Constitutional Court ruled the electoral law unconstitutional on the grounds it violated the rule of equality and the principle of one person, one vote. The court found that votes in rural, less populated districts outweighed those in urban, more populated areas, since it required far fewer votes to win a seat for the National Assembly in rural districts. The court mandated that the government and National Assembly amend the legislation as soon as possible for the 2025 elections to take place on time.

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

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for corruption by officials, and the government implemented the law effectively at times. The 2017 Anti-Corruption Law had not been implemented as of October, but authorities stated they were able to prosecute cases of corruption based on existing law. There were numerous accusations from political opponents, civil society, and media that officials engaged in corrupt practices. Nongovernmental organizations (NGOs) and political parties outside the National Assembly accused the government of lacking political will to tackle corruption.

Corruption: Practically every sector of government was accused of corruption, including the Central Bank of Suriname and state-owned companies, including the electricity company EBS, the airline Surinam Airways, the government health insurance company SZF, and others.

In December 2021, former Minister of Finance Gillmore Hoefdraad was convicted of corruption, fraud, falsification, and money laundering, as well as taking part in a

criminal organization. He was sentenced to 12 years in prison and fined 500,000 Surinamese dollars ($16,000) in absentia. The sentence was affirmed in February when Hoefdraad lost his protest procedure against the conviction and sentence. Because he lost the protest procedure, by law Hoefdraad could not appeal his sentence. Hoefdraad challenged the law by filing a petition with the Constitutional Court to review its constitutionality. While he continued to be at large, an Interpol Red Notice against Hoefdraad was lifted in April, due to the government's failure to adequately respond to a challenge filed by Hoefdraad that argued the trial against him was politically motivated.

Hoefdraad's accomplices – former central bank governor Robert van Trikt, former Central Bank director of compliance Faranaaz Alibaks-Hausil, former Postal Bank director Ginmardo Kromosoeto, and van Trikt's business partner Ashween Angnoe – were convicted in February and sentenced to imprisonment and payment of fines. In its ruling, the court noted the case proved corruption was widespread, organizational, and inherent. Van Trikt, Angnoe, Alibaks-Hausil, and Kromosoeto filed appeals against their sentences, and the appeals processes commenced in October. Alibaks-Hausil and Angnoe were subsequently released from prison, having served two-thirds of their sentences, while van Trikt and Kromosoeto were released in November pending the appeals of their cases.

In the case against former Vice President Ashwin Adhin, the judicial investigation was completed in August, and his trial was scheduled to start in October. Adhin was accused of alleged destruction and misappropriation of government property. Accomplices of Adhin who testified that they acted on Adhin's orders were found guilty and convicted.

Multiple cases of alleged corruption filed against members of the first and second Bouterse governments continued under investigation. The Santokhi government continued to face allegations of corruption and nepotism. The opposition parties in the National Assembly filed multiple formal complaints with the Attorney General's Office for investigation of alleged cases of corruption. The minister of land and forest management faced accusations of corruption in the issuance of land titles in at least two government projects.

Section 5. Governmental Posture Towards 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 was responsible for advising the government on regional and international proceedings against the state concerning human rights. It was also responsible for preparing the state's response to various international human rights reports. Its independence was limited, as it was exclusively under executive branch control. It did not solicit or investigate public complaints. Observers repeatedly called for a human rights office that directly deals with complaints filed by the public, noting the ineffectiveness of this office. The National Assembly has a commission dealing with human rights issues.

Section 6. Discrimination and Societal Abuses

Women

Rape and Domestic Violence: The law criminalizes rape of men and women, including spousal rape, and prescribes penalties for rape or forcible sexual assault of 12 to 15 years' imprisonment and a substantial fine. The government enforced the law effectively, including applying its provisions in cases involving rape of men. Authorities investigated and prosecuted all reported cases of sexual abuse.

Gender-based violence remained a serious and pervasive problem. The law imposes sentences of four to eight years' imprisonment for domestic violence. The Victim Assistance Bureau of the Ministry of Justice and Police provided resources and counseling for victims of domestic violence and raised awareness of domestic violence through public television programs. There were victims' rooms in police stations in Paramaribo and Nickerie. Authorities trained police units to assist survivors of sexual crimes and domestic violence. The Victim Assistance Bureau managed a shelter for female victims of domestic violence and children up to age

12 where victims can stay for up to three months. Use of the shelter was far below its capacity.

A second shelter existed for women in crisis situations with the capacity to provide temporary housing for 13 women and their children for up to six months. The shelter received both government and private-sector support.

The Office of Gender Affairs in the Ministry of Home Affairs continued its awareness programs on gender-based violence throughout the year. It also supported other organizations that assisted victims of domestic violence. The office had an active "Orange Day" campaign in which it highlighted the problem of gender-based and domestic violence on the 25th of every month. In September, the office released the results of a 2019 study of women ages 15 to 64 that showed more than 32 percent of respondents had encountered at least one act of physical or sexual violence with their intimate partner.

Sexual Harassment: In October, the National Assembly passed the Law against Violence and Harassment in the Workplace. The law is applicable only to the private sector. One case of sexual harassment in the workplace during the year involved multiple women, currently or previously employed at the primarily state-owned Hakrinbank, who filed complaints of sexual harassment against the CEO of the bank. Following an investigation, the Attorney General's Office concluded in July that it found insufficient facts to qualify him as a suspect.

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

Reproductive Rights: There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

Information on reproductive health was widely available, including the use of emergency contraception for family planning purposes, and no legal barriers or government policies adversely affected access to contraceptives. In some rural areas, however, skilled health-care workers were sometimes not readily available

due to the distances between villages.

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

The maternal death rate in 2017 was 120 per 100,000 live births. Of maternal mortality cases, 63 percent occurred postpartum. A 2021 study reported that postnatal care was weak, as women often did not return to the doctor until six weeks after delivery for their child's first doctor's visit. Complications resulting from pregnancy or delivery were often not identified on a timely basis.

Due to COVID-19, maternal mortality increased in 2021, as pregnant women suffered a much higher rate of infection and increased chances of death than other persons infected. In most cases, underlying medical conditions played a significant role, leading to more than double the number of women dying during pregnancy than normal.

The adolescent birth rate for girls ages 15 to 19 was 65 per 1,000. There was a high rate of adolescent pregnancy in low-income city neighborhoods and in the interior of the country. Most adolescents in this age group claimed to have an unmet need for comprehensive sexual education. These pregnancies often led to girls to drop out of school. Research released in July 2021 showed that the children from these early births themselves had children at a very early age.

Discrimination: The law provides for the protection of a woman's right to equal access to education, employment, and property. The government did not always enforce the law effectively. Women experienced discrimination in access to employment and in rates of pay for the same or substantially similar work as men. No law prohibits gender discrimination for access to credit.

Systemic Racial or Ethnic Violence and Discrimination

The law states that every person has equal rights to the protection of person and goods. It further states that nobody may be discriminated against based on his or her birth, gender, race, language, religion, descent, education, political beliefs, economic position, social circumstance, or any other status. The government enforced these protections effectively.

While there were no reported cases of governmental or societal violence against members of racial, ethnic, or national minorities, there was an increase in racial discrimination and ethnically focused messaging on social media.

Indigenous Peoples

The law affords no special protection for, or recognition of, Indigenous persons. The Inter-American Commission on Human Rights 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 traditions and cultures, but they had limited influence in decisions affecting exploitation of energy, minerals, timber, or other natural resources on their lands. 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 the tribes 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 faced problems with illegal and uncontrolled logging and mining. No laws grant Indigenous persons the right to share in the revenues from the exploitation of resources on their traditional lands. Organizations representing Maroon and Amerindian communities complained that small-scale mining operations, mainly by illegal gold miners, dug

trenches that cut residents off from their agricultural land and threatened to drive these communities away from their traditional settlements. Many of these miners were themselves tribal or supported by tribal groups. Mercury runoff from these operations, as well as riverbank erosion, contaminated drinking water and threatened traditional food sources, especially freshwater fish.

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

Children

Birth Registration: The law 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 the birth, or if the child is born in the country's territory and does not automatically acquire citizenship of another country. There were reports of children born in Suriname to non-Surinamese parents who were denied Surinamese citizenship. 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: The law prohibits child abuse, and the government enforced the law. Children suffered a high rate of physical and mental abuse. According to the most recent (2018) UNICEF Multiple Indicator Cluster Survey, 88 percent of children ages two to 14 suffered either physical or mental abuse. In rural areas, the rate was even higher, at 92 percent. Results of a study released in March showed that while an estimated 70,000 children encountered some form of abuse each year, only approximately 400 cases were 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 regarding sexual abuse, drugs, and alcohol through a weekly television program. The Youth Support Hotline, which received government support, maintained a 24-hour service, with access to services through its social media pages as well. The hotline provided confidential advice and aid to children in need. UNICEF continued to cooperate with the government to train

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.

With the support of UNICEF, the Academic Hospital Paramaribo maintained a social pediatric unit for abused children. The unit provided child victims of abuse with medical, social, and psychological guidance and worked with authorities to identify abusers.

Child, Early, and Forced Marriage: Parental permission to marry is required until the age of 21. The marriage law sets the minimum age of marriage at 15 for girls and 17 for boys, provided parents of the parties agree to the marriage. Children in certain tribal communities often married at an age younger than that set 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 commercial child sexual exploitation, and practices related to child pornography. Authorities investigated all reported abuses. While the legal age of sexual consent is 14, the law prohibits the sexual exploitation of a person younger than 18. Criminal law penalizes persons responsible for recruiting children into commercial sex and provides penalties of up to six years' imprisonment and a significant fine for pimping. The law also prohibits child pornography, which carries a maximum penalty of six years' imprisonment and a fine. Lack of economic opportunities led to an increasing number of adolescent boys and girls trafficked for sex, sometimes by their parents, to support the family or to pay for education. One NGO reported commercial sexual exploitation of children as young as 14. While the country was not generally considered a destination for child sex tourism, in prior years there were cases of tourists involved in sexual exploitation of children.

Institutionalized Children: Orphanages and other shelters for children are not government facilities and relied on private funds and charitable donations. As a result, care for children was unequal and often inadequate. In September, one person was detained for allegedly sexually abusing up to 11 children in a day-care facility. The facility also operated without the proper licensing of the Ministry of Social Affairs.

Antisemitism

There is a Jewish community of approximately 100 persons. There were no reports of antisemitic acts or discrimination.

Trafficking in Persons

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

Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation, Gender Identity or Expression, or Sex Characteristics

Criminalization: There are no laws that criminalize consensual same-sex sexual conduct.

Violence against LGBTQI+ Persons: Activists stated there were few official reports of violence against lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) persons, primarily due to fear of retribution and because authorities did not take seriously complaints filed by members of the LGBTQI+ community.

In October, authorities launched an investigation into the beating of a boy, age 15, by fellow middle schoolers, allegedly over his sexual orientation. The case came to light when a video of the attack was shared on social media. The Ministry of Education ordered the suspension of the student responsible for the attack, while the Youth Department of the Police was investigating the attack.

Discrimination: The law prohibits discrimination and hate speech based on sexual orientation, specifically protecting the LGBTQI+ 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. Same-sex couples cannot marry, since the civil code recognizes only marriages between a man and a woman. The law on retirement benefits specifically excludes same-sex couples from benefits granted to heterosexual couples. These were reports that members of the LGBTQI+ community faced discrimination in housing and employment.

Within the LGBTQI+ 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 violence from other detainees.

Availability of Legal Gender Recognition: In January, the Appellate Chamber of the Court of Justice sided with the ruling of a lower court that ordered the Civil Registration Office to register the name and gender change of a transgender person in the country's official registry. While the ruling sets a precedent, changes to the official registries may be implemented only through amendment of the civil code, which did not occur during the year.

Involuntary or Coercive Medical or Psychological Practices Specifically Targeting LGBTQI+ Individuals: There were no reported cases of so-called conversion therapy to change a person's sexual orientation or gender identity or expression, nor were there reports of unnecessary surgeries performed on intersex persons.

Restrictions of Freedom of Expression, Association, or Peaceful Assembly: There are no restrictions on freedom of expression, association, or peaceful assembly related to speaking out on LGBTQI+ matters or holding events.

Persons with Disabilities

No laws specifically prohibit discrimination against persons with physical or mental disabilities. No law or program require access to buildings for persons with disabilities. There is also no law that requires government information and communication to be provided in accessible formats. Persons with disabilities are eligible to receive general health benefits, but the process can be cumbersome. Access to other government services was also difficult and often inadequate to meet the needs of the disabled person. Persons with disabilities experienced discrimination when applying for jobs and services. A judge may rule to deny a person with a cognitive disability the right to vote, to take part in business transactions, or to sign legal agreements.

Children with disabilities attended school at a far lower rate than their peers without a disability. There was secondary and technical education for deaf and

hard-of-hearing persons, but not for those with visual disabilities. The Foundation for the Blind taught braille and life skills to persons who were visually impaired.

Other Social Violence or Discrimination

Persons with HIV and AIDS experienced discrimination in employment, housing, and medical services. Medical treatment was free for persons with HIV or AIDS covered under government insurance, but private insurers did not cover such treatment. NGOs reported discriminatory testing and subsequent denial of assistance for persons with HIV or AIDS who applied for housing assistance from the Ministry of Social Affairs.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

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

The government effectively enforced applicable laws involving the private sector. Penalties were commensurate with those for other laws involving denials of civil rights, such as discrimination, and penalties were sometimes applied against violators.

In isolated cases, private employers refused to bargain under 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 itself (the largest employer in the country) was not bound by these laws, since it deemed labor laws apply only to private employees, not civil servants.

b. Prohibition of Forced or Compulsory Labor

The law prohibits all forms of forced or compulsory labor, and the government effectively enforced the law. The government investigated and, when necessary, prosecuted reported cases of forced labor. Labor inspectors received training on detecting forced labor. Labor inspectors who were 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 https://www.state.gov/trafficking-in-persons-report/.

c. Prohibition of Child Labor and Minimum Age for Employment

See the Department of Labor's *Findings on the Worst Forms of Child Labor* at https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings/.

d. Discrimination with Respect to Employment and Occupation

In October, the National Assembly passed the Law on Equal Treatment in the Workplace, which sets standards for equality. The law prohibits employment discrimination based on birth, sex, race, language, religious origin, education, political beliefs, economic position, or any other status. The law prohibits discrimination based on sexual orientation. Authorities enforced the law, but discrimination in employment continued to be reported based on disability, gender, sexual orientation, gender identity, and HIV or AIDS status. Penalties were commensurate with laws related to civil rights, such as election interference. Penalties were sometimes applied against violators.

Women's pay was less than men's pay (see section 6, Women). Individuals with disabilities and LGBTQI+ persons faced discrimination in hiring and the workplace. The law protects pregnant women from dismissal and formalizes maternity leave for women and paternity leave and special leave for fathers or other family members in case a mother is unable to take care of a child after birth. As with other labor laws, this law is not applicable to government employees.

e. Acceptable Conditions of Work

Wage and Hour Laws: The law provides for a national minimum wage that is above the poverty income level. In the private sector, most unions were able to negotiate wage increases. The National Wage Council, which includes representatives from the government, employers, and unions, annually advises the government on a minimum hourly wage.

Work above 45 hours per week on a regular basis requires 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 per week.

Occupational Safety and Health: The government set occupational safety and health (OSH) standards that generally were current and appropriate for the main industries in the country. OSH experts did not actively identify unsafe conditions, including a lack of personal protective equipment against COVID-19 and responses to workers' OSH complaints. Larger employers had their own OSH staff, who were responsible for setting safety standards. Workers in the formal sector may remove themselves from situations that endanger health or safety without jeopardy to their employment, and authorities effectively protected employees in this situation. Workers in the informal sector were not able to remove themselves from these situations without risk to their employment.

Limited data were available on workplace accidents. The International Labor Organization, however, noted an increasing number of serious or fatal occupational accidents. Most fatal occupational accidents were in the mining sector. Workers in the informal sector, particularly in small-scale mining, often were exposed to dangerous conditions and hazardous substances such as mercury. Due in part to the COVID-19 pandemic, OSH training by labor inspectors concerning mines, construction, and public service was postponed.

The Ministry of Labor stated that employers are not allowed to issue vaccine

requirements and called on employees who were fired for not being vaccinated to report their cases. Private employers continued with these requirements, and vaccination requirements were also implemented in new hiring policies.

Wage, Hour, and OSH Enforcement: Inspectors in the Occupational Health and Safety Division in the Ministry of Labor did not effectively enforce wage, hour, and OSH laws. Penalties for violations of relevant labor laws were commensurate with similar crimes, but those penalties were not always applied against violators.

The number of labor inspectors was not sufficient to enforce compliance with labor laws. Inspectors have the authority to make unannounced inspections and initiate sanctions.

Informal Sector: An estimated 15 percent of the working-age population worked in the informal economy, where there was limited enforcement of labor laws. In some areas, particularly the interior of the country, enforcement was nonexistent.