

**UPR INTERVENTION FOR SURINAME**

**Thursday 22 September 2011**

**Canadian HIV/AIDS Legal Network**

**By Kenneth van Emden**

Madam President,

We are pleased to see that the Government of Suriname will endeavor to undertake steps to address concerns with regards to sexual orientation and gender identity. Whilst we agree on the fact that national legislation offers protection for human rights to all Surinamese citizens under the constitution Article 8.2 of which states that no one may be discriminated based on any status, we encourage the government to explicitly include sexual orientation and gender identity as grounds for discrimination. We believe that this will create a situation where both government and policymakers can make sure that Surinamese citizens, including gay, lesbian, bisexual and transgender people will be able to live freely and enjoy the same protection against discrimination as other citizens.

Therefore we urge the government of Suriname:

- To include sexual orientation and gender identity explicitly in article 8.2. of the constitution, and furthermore effectuate this article with developing specific sanctions for violation of this article, since this is lacking within the constitution. Not only the LGBT community will benefit from this effectuation, but all Surinamese citizens;
- To establish cooperation with the LGBT organizations in Suriname for the development of laws, policies and programs to combat discrimination;
- To present a timetable identifying the steps that the government will undertake.

Whilst we agree that these issues might be sensitive and require dialogue, we are of the opinion that granting equal rights to lesbian, gay, bisexual and transgender citizens is not a matter of granting special rights, but rather a matter of applying existing human rights norms and principles to all citizens. As UN Secretary General Ban Ki-moon recently stated to this Council: "No doubt deeply rooted cultural sensitivities can be aroused when we talk about sexual orientation. Social attitudes run deep and take time to change. But cultural considerations should not stand in the way of basic human rights."

We thus encourage the government of Suriname to take leadership in assuring that dialogue around these matters happens on the notion that human rights apply to all, are universal and that human rights are indivisible.

Finally, we recommend Suriname to apply the *Yogyakarta Principles on the Application of International Human Rights Law in relation to Sexual Orientation and Gender Identity* as a guide to assist in policy development.

