

OUTLINE OF THE CRIMINAL JUSTICE SYSTEM AND THE PROSECUTION IN SURINAME

On November 25, 1975 Suriname obtained its independence after having been a colony of Holland for approximately 300 years. The official language is Dutch. Suriname is a democratic state, based on the sovereignty of the people and on respecting and guaranteeing the fundamental rights and freedoms. Suriname acknowledges and respects the international law of self-determination and national independence on the basis of equality, sovereignty and mutual interests.

The government of Suriname is based on the trias-politica doctrine or the separation of powers. The President is the head of state of Suriname, head of government, chairman of the State Council and of the Security Council. He is responsible to the National Assembly. The executive power rests with the President. Together with the Vice-President and the Council of Ministers, the President forms the government.

The political power rests with the people and is exercised in accordance with the Constitution. The political democracy creates the condition for the people's participation in general, as well as free elections by secret ballot to compose the people's representative organs of government.

The National Assembly represents the people of Suriname and expresses the sovereign will of the nation. The National Assembly is the highest body of the State and consists of 51 members, who are elected per district on the basis of general and free elections by secret ballot in accordance with the system of proportional representation by highest average and preference votes. The members of the National Assembly are directly elected for a term of office of five years. The democratic arrangement of Suriname comprises at the regional level lower government bodies, of which the function, the organization, the authorities and the procedure are laid down by law in accordance with the principles of participative democracy and decentralization of government and legislation. At the regional level there are two representative bodies, the district councils and the local councils. The district council is the highest political-administrative organ of the district, while the local council is the highest political-administrative organ of the area of jurisdiction.

Pursuant to Article 70 of the Constitution, the legislature is jointly exercised by the National Assembly and the Government; and Article 80 provides that all bills passed by the National Assembly and approved by the President acquire force of law after promulgation.

The judiciary in Suriname is formed by the President and the Vice-President of the High Court, the members and the deputy members of the High Court, the Procurator-General of the High Court and the other members of the Public Prosecutions Department, as well as other judicial officers, as indicated by the law. The High Court is the highest authority of the Judiciary responsible for the administration of justice. The Court supervises the orderly conclusion of all judicial proceedings. The President, the Vice-President, the members and the deputy members of the High Court together form the judiciary responsible for the administration of justice.

The Public Prosecutions Department, to the exclusion of all other organs, is responsible for investigations and in charge of the prosecution of all offenses. The government determines the general prosecution policy. In the interest of national security the Government may give orders to the Procurator General with regard to the prosecution in concrete cases.