

FOLLOW-UP MECHANISM FOR THE
IMPLEMENTATION OF THE INTER-AMERICAN
CONVENTION AGAINST CORRUPTION
Twenty-fifth Meeting of the Committee of Experts
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**QUESTIONNAIRE
REGARDING FOLLOW-UP OF THE IMPLEMENTATION OF THE
RECOMMENDATIONS FORMULATED AND THE PROVISIONS REVIEWED IN THE
SECOND ROUND, AND ON THE CONVENTION PROVISIONS SELECTED FOR THE
FIFTH ROUND ***

INTRODUCTION

The Report of Buenos Aires^{1/} and the Rules of Procedure and Other Provisions^{2/} of the Committee of Experts on the Mechanism for Follow-up on the Implementation of the Inter-American Convention against Corruption (hereinafter, as applicable, *Report of Buenos Aires, Rules, Committee, Mechanism, and Convention*) provide that the Committee shall adopt a questionnaire on the selected provisions to be reviewed in each round.

In the framework of its Twenty-Fourth Meeting, held on September 8 to 12, 2014, the Committee chose, as topics for review during the Fifth Round, those relating to Article III, paragraphs 3 and 12 of the Convention, which refer, respectively, to “instruction[s] to government personnel to ensure proper understanding of their responsibilities and the ethical rules governing their activities” and to “the study of further preventive measures that take into account the relationship between equitable compensation and probity in public service.” In addition, with regard to the follow-up of recommendations, at that same meeting the Committee took the same view as that expressed at the Third Meeting of the Conference of the MESICIC States Parties and agreed that, in the Fifth Round, the Committee would follow-up of the recommendations formulated in the Second Round and which were deemed to require additional attention in the reports from the Third Round, including the consideration of any new and relevant information or developments that would allow the Committee to determine the continued validity of the recommendations and measures suggested in the reports from the Second Round and, with regard to those deemed still valid, to assess whether the State has given them satisfactory consideration or whether additional attention is required or, when applicable, to restate or reformulate them.

In addition, in the Methodology for the Fifth Round, the Committee decided that it would review new developments in the States with respect to the Convention provisions selected for the Second Round, taking into account such aspects as the legal framework, technological developments, and results, and making the relevant observations and recommendations in connection therewith.

* This questionnaire includes an Annex I which contains an individualized format for Suriname to report information on the implementation of the recommendations formulated in the Second Round and new developments in relation to the Convention provisions selected for review in that Round.

1. The Report of Buenos Aires (document AG/RES. 1784 (XXXI-O/01)) is available at: www.oas.org/juridico/english/doc_buenos_aires_en.pdf

2. The Rules of Procedure and Other Provisions of the Committee of Experts of the MESICIC (document SG/MESICIC/doc.9/04 rev. 5, is available at: www.oas.org/juridico/english/mesicic_rules.pdf

Furthermore, Article 29 of the Rules provides that each State Party shall submit information on the implementation of the recommendations in the standard format that the Committee shall provide as an annex to the Questionnaire. Article 29 also establishes that, “with respect to the implementation of recommendations, the State Party shall refer to any difficulties that may have arisen in the process,” and that, “should it deem it to be appropriate, the State Party may also identify the domestic agencies that have participated in implementing the recommendations, as well as identify specific technical assistance or other needs connected with the implementation of the recommendations.”

In light of the above, this document contains the questions that comprise the questionnaire adopted by the Committee.

The responses given to the questionnaire shall be reviewed in accordance with the methodology adopted by the Committee, which is posted in the Anti-Corruption Portal of the Americas at the following address: <http://www.oas.org/juridico/english/fightcur.html>

Pursuant to Article 21 of the Rules, the State Party is to forward its responses to the Questionnaire through its Permanent Mission to the OAS, in electronic format, together with all the supporting documents, within the time period set by the Committee.

To this effect, the OAS General Secretariat’s e-mail, to which the response to the questionnaire should be sent and to which inquiries may be addressed in order to clarify any doubts that arise, is the following: LegalCooperation@oas.org

SECTION I³

FOLLOW-UP ON THE IMPLEMENTATION OF THE RECOMMENDATIONS FORMULATED IN THE SECOND ROUND AND NEW DEVELOPMENTS IN RELATION TO THE CONVENTION PROVISIONS SELECTED FOR REVIEW IN THAT ROUND

In accordance with the terms of Article 29 of the *Rules of Procedure*, and bearing in mind the agreement reached by the Committee at its Twenty-fourth Meeting, in which in relation to the follow-up of recommendations, it endorsed the criterion contained in recommendation 9.a of the Third Meeting of the Conference of MESICIC States Parties, as well as with the terms of the Methodology for the Fifth Round, the form contained in Annex I of this questionnaire is adopted as the standard form the countries to report on:

- a) Progress, information, and new developments in relation to the implementation of the recommendations formulated to them and the measures suggested to them by the Committee for implementation in the reports from the Second Round and regarding which the Committee deemed required additional attention in the reports from the Third Round; and
- b) New developments in relation to the Convention provisions selected for the Second Round, in such areas as legal frameworks, technological developments, and results.

3. Section I of this questionnaire, which deals with follow-up of the recommendations formulated in the Second Round, does not apply to those countries that had not joined the MESICIC when that round took place; however, under the terms of Article 28 of the *Rules of Procedure*, those countries must answer the questions set out in Section I of the questionnaire adopted by the Committee for that round. The Second Round Questionnaire is available at: http://www.oas.org/juridico/spanish/mesicic_quest_IIround_sp.pdf and the Technical Secretariat will complete it with questions on the topics addressed in Section XII of the Methodology for the Fifth Round and send it to those countries at least three months in advance of the date on which they are to return their responses to the questionnaire in accordance with the schedule adopted for the Fifth Round.

Based on the above-referenced standard form, the Technical Secretariat will send each country an individualized form which clearly identifies the recommendations and measures referred to in paragraph (a) of this section of the questionnaire and will ask about new developments in connection with the Convention provisions selected for the Second Round, at least three months prior to the date on which they are to return their responses to the questionnaire in accordance with the provisions of Section V of the Methodology adopted by the Committee for the Fifth Round.

SECTION II

QUESTIONS ON IMPLEMENTATION OF THE CONVENTION PROVISIONS SELECTED FOR REVIEW IN THE FIFTH ROUND

CHAPTER ONE

INSTRUCTIONS TO GOVERNMENT PERSONNEL TO ENSURE PROPER UNDERSTANDING OF THEIR RESPONSIBILITIES AND THE ETHICAL RULES GOVERNING THEIR ACTIVITIES (ARTICLE III, PARAGRAPH 3 OF THE CONVENTION)

- A) Select up to a maximum of three groups of government personnel from your country's branches of government or public institutions, at the national/federal level, that, due to them being a majority or based on the importance of their functions, are considered principal groups that merit review for the purpose set out in Article III, paragraph 3, of the Convention, which refers to giving instructions to government personnel for the proper understanding of their responsibilities and the ethical rules governing their activities.
- **The Suriname Police Force/ “*Korps Politie Suriname (KPS)*”**
 - **The Ministry of Home affairs**
- B) Indicate why your country believes the personnel group(s) selected under the previous question merit review.
- **The above-mentioned groups of government personnel merit review, because:**
 - **The KPS is part of the Public Prosecutions Department (PPD) responsible for the enforcement of the legislation, inter alia the Anti-Corruption Act adopted in October 2017. Thus, the staff of the KPS must be well-trained and also comply with the ethical rules of their organization in order to enforce the above-mentioned legislation effectively.**
 - **The Ministry of Home Affairs is, according to the formal task statement, responsible for the overall government personnel policy. This includes the activities, tools and procedures that are designed to improve the effective functioning of employees within the government (e.g. different ministries) bearing in mind among other things working conditions, labor relations and labor content. The aforementioned Ministry is also responsible for the conditions under which government personnel do**

their work, set up/provision, organs and other resources and initiating awareness activities for officials (as stated earlier in the responses of the questionnaire regarding the 4th report); (see <http://www.gov.sr/ministerie-van-biza/over-biza/departementen/onderdirectoraat-personeelsbeleid.aspx>.)

- C) Indicate whether there are provisions and/or measures in your country for providing instructions to the selected government personnel group(s) which ensure proper understanding of their responsibilities and the ethical rules governing their activities, and attach a copy of them or provide links to the web pages where they can be consulted.

The “Korps Politie Suriname (KPS)/(Suriname Police Force):

The provisions and/or measures for providing instructions to personnel of KPS which ensure proper understanding of their responsibilities and the ethical rules of governing activities can be found in the Charter of the Police 1971. The charter can be found on the link: www.dna.sr/media/15982/politie_handvest.pdf

The police also has a standard code of conduct.

The Ministry of Home affairs:

The instructions with regard to a proper understanding of their responsibilities and the ethical rules governing the activities of government personnel are:

- *Civil servants’ Oath based on art. 37 of Personnel Act;*
<http://www.dna.sr/media/15979/Personeelswet.pdf>
- *Function descriptions;*
http://www.gov.sr/media/105004/taakomschrijving_departementen_2_dec_2010.pdf
)
- *Constitution;* http://www.dna.sr/media/18316/grondwet_suriname.pdf
- *Personnel Act of the Public Administration;*
http://www.dna.sr/media/18729/wet_staatsraad.pdf
- *Legal Instructions / Acts for police officers, military and members of the judiciary*
http://www.dna.sr/media/15982/politie_handvest.pdf ;
http://www.dna.sr/media/17745/wet_rechtspositie_militairen.pdf
- *Government Accounts Act*
- *Ministerial Responsibility Act;*
http://www.dna.sr/media/18352/regeling_ministeriele_verantwoordelijkheid.pdf
- *Penal Code (www.dna.sr);*
http://www.dna.sr/media/19210/wetboek_van_strafrecht.pdf

- D) Refer to the following aspects relating to the aforementioned instructions, with respect to the selected government personnel group(s), attaching copies of the provisions and/or measures on which the answers are based or indicating links to the web pages where they may be consulted:

- i. The manner in which personnel are informed of their responsibilities and functions, indicating whether this is done verbally or in writing and whether records are kept of

those instructions.

The “Korps Politie Suriname (KPS):

This is done verbally and in writing through routine orders, circulars and official instructions. Those instructions are archived.

The Ministry of Home affairs:

The manner in which personnel are informed of their responsibilities and functions is done verbally and in writing but no records are kept of those instructions.

- ii. The occasion(s) when personnel are informed of their responsibilities and functions, indicating whether this is done when they begin performing them or at a later point; when those functions change; or when functions change due to a change of post.

The “Korps Politie Suriname (KPS):

Upon entry within the Force personnel are informed of their responsibilities and functions. When their function changes they also are informed of their new responsibilities.

The Ministry of Home affairs:

Personnel are informed of their responsibilities and functions when they take the Civil Service Oath which is obligatory according to the Personnel Act. Other than that the informing of personnel of their responsibilities and functions happens on an incidental basis.

- iii. The existence of introductory, training or instructional programs and courses for personnel on how to perform their responsibilities and functions properly and, particularly, for making them aware of the risks of corruption inherent in the performance of those functions.

The “Korps Politie Suriname (KPS):

The Suriname Police Force/ “Korps Politie Suriname” has no introductory, training or instructional programs and courses making them aware of the risks of corruption inherent in the performance of their functions. The Personnel occasionally receives information about the risk of corruption through awareness sessions and trainings that are being offered by other countries and institutions.

The Ministry of Home affairs:

Personnel is being provided with training to improve their performance as well as to increase their awareness about the risks of corruption inherent in the performance of their functions but enrolment in this training is not

obligatory. This training is provided through the “*Surnumerair training*” and the Advanced General Civil Service Training (VAAO training).

- iv. The use of modern communication technologies to apprise personnel of their responsibilities or functions and to provide guidance on how to perform them properly.

The “*Korps Politie Suriname (KPS)*”:

No, there is no use of modern communication technologies within the Suriname Police Force/ “*Korps Politie Suriname*” when it comes to corruption.

The Ministry of Home affairs:

No, until now (institutionally) Suriname does not make use of modern communication technologies to apprise personnel of their responsibilities or functions and to provide guidance on how to perform them properly.

- v. The existence of bodies to which personnel can resort to obtain information or resolve doubts about how to perform their responsibilities and functions properly.

The “*Korps Politie Suriname (KPS)*”:

There are no such bodies within the Suriname Police Force/ “*Korps Politie Suriname*”.

The Ministry of Home affairs:

As far as Suriname is concerned to date no bodies exist to which personnel can resort to obtain information or resolve doubts about how to perform their responsibilities and functions properly.

- vi. The existence of a governing organ, authority or body responsible for defining, steering, advising, or supporting the manner in which personnel are to be informed of their responsibilities and functions, and for seeing that this task is fully carried out, and the measures or actions that such bodies can take to enforce the norms and/or measures in force in this regard.

The “*Korps Politie Suriname (KPS)*”:

No, there is no such governing organ within the Suriname Police Force/ “*Korps Politie Suriname*”.

The Ministry of Home affairs:

The sub-directorate for personnel affairs and sub-directorate of general/administrative affairs supported by personnel affairs division oversee the process of personnel management.

- vii. The way in which personnel are informed of the ethical rules governing their activities, indicating whether this is done verbally or in writing and whether records are kept of those instructions.

The “Korps Politie Suriname (KPS):

Personnel of the Suriname Police Force/ “Korps Politie Suriname” are informed of ethical rules governing their activities when they enlist within the Force. They pledge allegiance to the country and its Constitution and they receive a standard Code of Conduct on how they have to behave and present themselves throughout their career within the Force.

The Ministry of Home affairs:

Personnel are incidentally informed of the ethical rules governing their activities. However, there is a module called ‘integrity’ which is being taught to government personnel / civil servants who have enrolled in the Advanced General Civil Service Training.

- viii. The occasion(s) when personnel are informed of ethical rules governing their activities, indicating whether this is done when they begin performing them or at some later point; when a change in their functions entails a different set of applicable ethical rules; or when changes are made to those rules.

The “Korps Politie Suriname (KPS):

The personnel of the Suriname Police Force/ “Korps Politie Suriname” are informed once of the ethical rules governing their activities and that is done upon entry within the Force.

The Ministry of Home affairs:

Government personnel / civil servants are obliged by the Personnel Act to take an oath which states that they should perform their duties with honesty and to their best knowledge.

- ix. The existence of introductory, training or instructional programs and courses for personnel on the ethical rules governing their activities and, particularly, on the consequences of failure to abide by them for public institutions and for wrongdoers.

The “Korps Politie Suriname (KPS):

The personnel of the Suriname Police Force/ “Korps Politie Suriname” is informed on ethical rules governing their activities and failure to abide by them will lead to the conduction of an internal investigation. After the investigation the Ministry of Justice and Police will decide which disciplinary action will be taken against the wrongdoers according to article 40 of the Charter of Police 1971.

The Ministry of Home affairs:

Worth mentioning in this case is the 'Integrity' module at the Advanced General Civil Service Training.

- x. The use of modern communication technologies to apprise personnel of the ethical rules governing their activities and to provide guidance as to their scope or interpretation.

The “Korps Politie Suriname (KPS):

There is no modern communication technology used in this regard.

The Ministry of Home affairs:

To date Suriname does not make use of modern communication technologies which are significant to apprise personnel of the ethical rules governing their activities and to provide guidance as to their scope or interpretation.

- xi. The existence of bodies to which personnel can resort to obtain information or resolve doubts about the scope or interpretation of the ethical rules governing their activities.

The “Korps Politie Suriname (KPS):

There are no such bodies within the Suriname Police Force/ “Korps Politie Suriname”.

The Ministry of Home affairs:

As far as Suriname is concerned to date no bodies exist to which personnel can resort to obtain information or resolve doubts about the scope or interpretation of the ethical rules governing their activities.

- xii. The existence of a governing organ, authority or body responsible for defining, steering, giving guidance on, or supporting the manner in which personnel are to be informed of the ethical rules governing their activities, and for seeing that this task is fully carried out, and the measures or actions that such bodies can take to enforce the norms and/or measures in force in this regard.

The “Korps Politie Suriname (KPS):

There is no such organ within the Suriname Police Force/ “Korps Politie Suriname”.

The Ministry of Home affairs:

As far as Suriname is concerned to date no governing organ, authority or body responsible for defining, steering, giving guidance on, or supporting the manner in which personnel are to be informed of the ethical rules governing their activities, and for seeing that this task is fully carried out, and the

measures or actions that such bodies can take to enforce the norms and/or measures in force in this regard.

- E) Summarize the results obtained in the application of the provisions and/or measures relating to the instructions given to the selected government personnel group(s) to ensure that they have an appropriate understanding of their responsibilities and functions, providing the relevant information available in your country,^{4/} and making reference, to the extent that is possible, to issues such as the following: the holding of introductory, training or instructional programs and courses to that end, the periodicity or frequency with which they have been held, and the number of public servants covered by them; implementation of programs for the same purpose; preparation of guidelines to counsel public servants on the proper performance of their functions and to alert them to the risks of corruption inherent in the performance of their responsibilities; responses to inquiries by public servants on the correct performance of their functions and the use of modern communication technologies for that purpose; activities undertaken to ascertain whether the objective of ensuring that responsibilities or functions are understood was in fact achieved; and measures or actions developed by the authorities or bodies responsible for ensuring that instructions to that end are fully provided and with ensuring the enforcement of provisions and/or measures in force.

The “Korps Politie Suriname (KPS):

There have been positive results. However there were cases registered in the past 5 years whereas personnel have violated ethical codes and have been found guilty of corruption. These cases were thoroughly investigated and the wrongdoers were punished according to article 40 of the Charter of the Police 1971.

The Ministry of Home affairs:

The descriptions of functions and verbal instructions are the only instructions for government personnel / civil servants which informs them of their responsibilities and functions. Other activities in that regard take place incidentally.

- F) Summarize the results obtained in the application of the provisions and/or measures relating to the instructions given to the selected personnel group(s) to ensure that they have an appropriate understanding of the ethical rules governing their activities, providing the relevant information available in your country,^{5/} and making reference, to the extent that is possible, to issues such as the following: the holding of introductory, training or instructional programs and courses to that end, the periodicity or frequency with which they have been held, and the number of public servants covered by them; implementation of programs for the same purpose; preparation of guidelines to counsel public servants on the scope and interpretation of those ethical rules and about the consequences of failure to abide by them for public institutions and the wrongdoers; responses to inquiries by public servants to that same end and the use of modern communication technologies for that purpose; activities undertaken to ascertain whether the objective of ensuring that the ethical rules are understood was in fact achieved; and actions undertaken by the authorities or bodies responsible for ensuring that instructions to that end are fully imparted and with ensuring the enforcement of provisions and/or measures in force.

4. If possible, referring to the past five years.

5. If possible, referring to the past five years.

The “Korps Politie Suriname (KPS):

Despite not being educated on a regular basis, personnel understand the ethical rules governing their activities appropriately. If they fail to abide by the rules they will be punished by the authorities responsible with ensuring the enforcement of provisions and / or measures in force according to article 40 of the Charter of the Police 1971.

The Ministry of Home affairs:

The ethical rules governing civil service are embodied in our Personnel Act and the Penal Code which accounts for all civil servants. Training on ethical behavior of the civil servants is provided through the Continued General Civil Service Training. No other courses / programs on ethical behavior of civil servants are being conducted on a regular basis.

- G) For each of the selected personnel group(s), briefly report on difficulties and/or weaknesses related to instructions for ensuring an adequate understanding of their responsibilities and functions and, if applicable, identify specific technical cooperation needs.

The “Korps Politie Suriname (KPS):

The difficulties and/ or weaknesses are:

- 1. There is no modern communication technology to apprise personnel of the ethical rules governing their activities and to provide guidance as to their scope or interpretation.**
- 2. There is no governing organ, authority or body responsible for defining, steering, giving guidance on, or supporting the manner in which personnel are to be informed of the ethical rules governing their activities, and for seeing that this task is fully carried out, and the measures or actions that such bodies can take to enforce the norms and/or measures in force in this regard.**
- 3. There are no bodies to which personnel can resort to obtain information or resolve doubts about the scope or interpretation of the ethical rules governing their activities.**

The Ministry of Home affairs:

The absence of performance appraisal and assessment interviews on a regular basis makes it difficult to ensure that civil servants are aware of their responsibilities and informed of their functions. An appraisal and assessment system has recently been developed which will be implemented very soon after approval of the minister of Home Affairs of Suriname

- H) For each of the personnel group(s) selected for review, briefly report on difficulties and/or weaknesses related to instructions for ensuring an adequate understanding of the ethical rules

governing their activities and, if applicable, identify specific technical cooperation needs.

The “Korps Politie Suriname (KPS):

See the answer to question G.

The Ministry of Home affairs:

The lack of active monitoring and absence of whistleblower law which enable people to report misbehaviors of civil servants without fear for repercussions are major weaknesses.

CHAPTER TWO

THE STUDY OF PREVENTIVE MEASURES THAT TAKE INTO ACCOUNT THE RELATIONSHIP BETWEEN EQUITABLE COMPENSATION AND PROBITY IN PUBLIC SERVICE (ARTICLE III, PARAGRAPH 12 OF THE CONVENTION)

- A) Indicate whether your country has studied prevention measures that take into account the relationship between equitable compensation and probity in public service. If so, please describe the study or studies carried out and either enclose copies thereof or indicate the web pages where they may be consulted.

The “Korps Politie Suriname (KPS):

No, the Suriname Police Force/ Korps Politie Suriname is not aware of prevention measures that take into account the relationship between equitable compensation and probity in public service.

The Ministry of Home affairs:

Suriname has not studied prevention measures that take into account the relationship between equitable compensation and probity in public service.

- B) Indicate whether your country has established objective and transparent criteria for determining the compensation of public servants. If so, please describe those criteria and enclose copies of the documents, provisions, and/or measures containing those criteria or indicate the web pages where they can be consulted.

The “Korps Politie Suriname (KPS):

No, the Suriname Police Force/ Korps Politie Suriname has not established objective and transparent criteria for determining the compensation of public servants.

The Ministry of Home affairs:

Yes, Suriname has established an objective and transparent criteria for determining the compensation of public servants by means of a system called Function Information System of the Public Sector (FISO).

FISO is a function evaluation system based on a point system which is able to weigh a function by small fractions.

For criteria of the system (Referring to the attached FISO document).

SECTION III

BEST PRACTICES

OPTIONAL: Report on a maximum of four best practices related to the Convention provisions selected for the Second and Fifth Rounds that your country would like to share with the other MESICIC member countries, using the standard form attached to this questionnaire for that purpose (Annex II).

STANDARD FORMAT FOR PRESENTATION OF INFORMATION ON BEST PRACTICES

1. **Institution:** The name of the institution that is implementing the best practice:
 - ***The Ministry of Justice and Police of Suriname (KPS).***
 - ***Public Prosecutions Department (PPD)***
2. **Title:** The name of the best practice or the topic it covers:
 - **KPS: The recently adopted Anti-Corruption Law.**
 - **PPD: Code of Ethics Public Prosecutors/ PPD (Ethische gedragscode OM) and Website PPD**
3. **Description of the best practice:** Include a brief description and summary of the best practice, as well as the reason why it should be considered a best practice:
 - **KPS: The Anti-Corruption Law is part of the measures taken by the government to combat corruption in a structural and powerful manner, which should among other things lead to the restoration of moral norms and values within our society and to the restoration and conservation of the constitutional state. This should be considered a best practice because it offers the government of Suriname the tools needed to prevent, detect, punish and eradicate corruption.**
 - **PPD: With regard to article 3 par. 3 of the Convention (**Article III Preventive Measures**)**
For the purposes set forth in Article II of this Convention, the States Parties agree to consider the applicability of measures within their own institutional systems to create, maintain and strengthen:

Instruction to government personnel to ensure proper understanding of their responsibilities and the ethical rules governing their activities.)

Code of Ethics Public Prosecutors/ PPD (Ethische gedragscode OM)

In 2016/2017 the Management of the PPD, initiated discussion evenings amongst the Public Prosecutors in order to compose a new document containing guidelines regarding the code of conduct of these officials. This Code of conduct/ Code of ethics for the public prosecutors and the PPD is practically ready for entry into force. The discussions and drafting were supported by a Dutch expert. The trajectory also includes an ethics course for this group on short notice.

Website PPD

The launch of the website of the PPD. On the website the citizen/ society is informed (amongst others) about the services of the PPD and also has easier access to the management of the PPD Service in the event of improper handling of responsibilities by employees.

Website PPD (<http://www.openbaarministeriesuriname.org/>)

4. **Reasons/Importance:** Reasons for pursuing best practice should be given. A description should be made of the situation in place before the adoption of the best practice and identification of the problem or problems it is to address:
 - **KPS: The reason for pursuing this best practice is because of the ever increasing phenomenon of corruption in Suriname.**
5. **Approach:** What was the proposed design and methodology for applying the best practice? What was considered in its design and methodology? Were other countries' experience taken into account?
 - **KPS: There is no proposed design and methodology for applying this best practice. In Suriname it is customary that laws are being made in the National Assembly to safeguard the constitutional state.**
6. **Implementation:** How is the best practice being implemented?
 - **KPS: The Anti-Corruption Law is being implemented by the Ministry of Justice and Police, who will recommend members to take a seat in a yet to be installed corruption prevention commission. This commission will be installed by the President of the Republic of Suriname. Members of this commission can also be suspended or dismissed by the President.**
7. **Challenges:** What are the challenges in implementing the best practice?
 - **KPS: The challenge in implementing the best practice is the yet unknown practical outcome.**

8. Outcome: What is the end result or expected end result of implementing the best practice? Have benefits and/or success stories been identified? Have they addressed the problems originally identified as necessitating a best practice to be implemented?
 - **KPS: The expected end result of implementing this best practice is a drastic reduction of corruption. There have been no success stories identified and the originally identified problems as necessitating a best practice to be implemented have not been addressed yet.**
9. Follow-up: Who or what groups will monitor the practice's implementation? How will its implementation be monitored? Will there be a Follow-up Report?
 - **KPS: The practice's implementation will be monitored by the yet to be installed corruption prevention commission. Through the intervention of the Minister of Justice and Police this commission will report to the President of the Republic of Suriname on a yearly basis. There will be a follow-up report.**
10. Lessons: What are some of the lessons learned in implementing the Best Practice?
 - **KPS: There have not been any lessons learned yet.**
11. Documentation: Where can further information be found regarding the best practice (e.g., Internet links)?
 - **KPS: The Anti-Corruption Law is available on the website of the National Assembly: http://www.dna.sr/media/192963/SB_2017_85.pdf**
12. Contact: Who can be contacted for further information?
 - **KPS: The Commissioner of Police (Ag) of the Suriname Police Force/ "Korps Politie Suriname", Mr. Antonio Chin can be contacted for further information.**
 - **PPD: The Prosecutor General/ Management PPD can be contacted for further information**

SECTION IV

INFORMATION ON THE OFFICIAL RESPONSIBLE FOR COMPLETION OF THIS QUESTIONNAIRE

Please provide the following information:

(a) State Party: **SURINAME**

(b) The official to be consulted regarding the responses to the questionnaire is:

Ms.: Sieglien Aviankoi, LL.M

Title/position: **Señor Legal Officer/ Representative of Suriname in the MESICIC**

Agency/office: **Department of International relations/MJP**

Address: **Henck A.E. Arronstraat no. 2**

E-mail: **aviansieg@ymail.com/ibjusp@outlook.com**

Tel.: (597)8719611/ (597) 434505

Fax: ----

With regard to the answers concerning government personnel's and best practices the information's were provided by:

- **The Suriname Police Force, Mrs. Sharveen Koelfat/ Acting Head of the department of the “*Interne Tucht Zaken (ITZ)*”/ (involved with internal disciplinary cases).**
- **The Ministry of Home affairs, Ms. P. Amatsoemarto, MPA/the P.S.**
- **The Public Prosecutions Department (PPD) information's were provided by: Ms. Roline Gravenbeek LLM/ Public Prosecutor.**

With regard to the answers concerning the follow-up on the 2nd round, the information's were provided by:

- **The Public Prosecutions Department (PPD) information was provided by: Ms. Roline Gravenbeek LLM/ Public Prosecutor.**
- **The Central Government Auditing Bureau (CLAD, Mr. Reggy M. Resida/ Manager CLAD**
- **Financial Management Department of the Ministry of Justice and Police, Mr. R. Sabajo/Deputy Director**
- **The Ministry of Public works and Communications, the secretariat of the minister**

With regard to ANNEX I

**FOLLOW-UP ON THE IMPLEMENTATION OF THE RECOMMENDATIONS
FORMULATED IN THE SECOND ROUND**

**1. SYSTEMS OF GOVERNMENT HIRING AND PROCUREMENT OF GOODS AND
SERVICES (ARTICLE III (5) OF THE CONVENTION)**

- SYSTEMS OF GOVERNMENT HIRING

See the information's provided in chapter 2, inter alia by the Ministry of Home affairs.

**- PROCUREMENT OF GOODS AND SERVICES (ARTICLE III (5) OF THE
CONVENTION)**

The Ministry of Public works, Transport and Communication:

A) Legal Framework

With regard to the purchase of goods and services no statutory regulations have been established after 22 May 2008. For the supply of services and the execution of services, article 18 of the 1952 Compatibility Act is applicable. Article 18 of the 1953 Compatibility Decree provides a limit on SRD. 30,000 subscribed for keeping open calls. By Government Decree of June 1, 2011 (GB 1953 NO.100, as last amended by SB 2004 No. 116, the amount of SRD 30,000 has been increased to SRD 1.500,000. However, by government missive of June 15, 2015, the amount of SRD 1,500 .000 returned to SRD 500,000, which means that all projects above the amount of SRD 500,000 should be per public tender, which can be effectively and efficiently planned.

It can be said, that a working group called “public procurement working group” are drafting legislation on the public procurement law for our country which leads to transparency and effectively budgeting, managing and monitoring Government expenditure. If this legislation is approved, this will be a progress for Suriname in terms of procurement.

Challenge/difficulties

Governments around the world rely on public procurement systems to purchase goods and services with public funding, which constitute up to 15 percent of Gross domestic product (GDP) in developed countries and up to 30 percent in developing countries. Given the considerable size of the procurement market and the scarcity of public resources, regulations exist to prevent fraud, waste, corruption, and local protectionism, as well as to efficiently allocate scarce public resources. According to the 2003 Country Procurement Assessment Report for Suriname the country is far from meeting the necessary standards to operate with adequate levels of efficiency and transparency. The report indicates that if regulations, institutional arrangements, procedures, practices,

and access to procurement information do not improve, they may lead to higher costs and leave the system prone to corruption and decreased competition, contribute to poor project performance, and delay the delivery of benefits to the project's beneficiaries.

Solution

The International Centre for social franchising (ICSF) will finance activities that will address critical areas in Suriname's public procurement system, such as the development of a procurement procedures handbook, standardization of bidding documents, a public procurement portal, system-wide procurement regulations, and training to ensure users become familiar with these tools. Together, they are expected to serve as an important basis for Suriname to make its national procurement system more efficient and cost effective.

Results

These tools are expected to strengthen the quality of public procurement through increased competition, decrease transaction costs, reduce prices without affecting suppliers, and maximize value for money, leading to a more efficient and transparent use of limited public resources.

B) Technological Developments

Since May 22, 2008 there are no technological developments adopted by Suriname in connection with Government systems for procurement of goods and services.

C) Results

The Ministry of Public Works, Transport and Communication has not any statistical data for the past five years on the numbers and percentages of contracts awarded through competitive bidding and the numbers and percentages of contracts awarded through other mechanism.

For the last five years there are no objective results obtained in Suriname in connection with the Government systems for procurement of goods and services. As described in A (Legal Framework), a working group called "public procurement working group" are drafting legislation on the public procurement law for our country which leads to transparency and effectively budgeting, managing and monitoring Government expenditure.

Ministry of Justice and Police (MJP): Financial Management Department:

A) Legal Framework

The rules applicable to the procurement of the Central Government, are:

-The revised Treaty of Chaguaramas;

-The Comptabiliteitswet (Compatibility Act);

As reported above/earlier this Act regulates inter alia, the exceptional cases of public tendering and gives the different threshold amounts that have to be taken into account when tendering. The comptabiliteitswet indicates, that procurement in public should be done publicly, but at the other end it also regulates the procedure to be taken into account when tenders are not done publicly; for e.g. the maximum amount that must be taken into account in the award of contracts (See article 18 of the above-mentioned Act).

For example: for purchases above the threshold amount of SRD 500.000 is required that a minimum of 3 bids must be obtained. These bids must be submitted to the department of Compatibility of the Ministry of Finance. The procurement process starts with the preparingsfase. In this phase the specifications for the work that needs to be done is prepared by the relevant department. After the specification is approved, the government's publishes the bids. The publications are done in the local newspapers. After the bids are submitted by date, time and location specified in the advertisement, the bids are reviewed by the bids commission; this commission place recommendations/advise which is included in a proposal for the council of ministers for their approval.

Furthermore, the Financial Management Department of the MJP is working with regulations at the level of *State decrees; Ministerial decisions and Resolutions.*

B) Technological Developments

Since 2016 the new financial management system IFMIS / Free Balance is in use at the ministries, including MJP

C) Results

The MJP has no information regarding objective results or statistical data.

The Central National Accountants Agency/ Central Government Auditing Bureau:

A) Legal Framework

The Anti-Corruption Act is adopted in 2017 by Parliament.

In accordance with this Act the process for selecting the members of the Anti-Corruption Committee has already started.

The Act on the Financial Statement (Wet op de jaarrekening) is also adopted in 2017 by Parliament:

http://www.dna.sr/media/192917/sb_2017_84_wet_op_de_jaarrekening.pdf

The adaptation of the new PFM Act (Comptabiliteitswet/ Compatibility Act) is in progress. The executors are the Ministry of Finance and Parliament.

B) Technological Developments

Since 2016 the new financial management system IFMIS / Free Balance is in use at the ministries.

Reforms are being implemented by the Ministry of Finance at the Tax and Customs Administration.

Since 2011 the CLAD uses the audit management system Team Mate to do her audits.

C) Results

The CLAD has no information regarding objective results or statistical data.

2. SYSTEMS FOR PROTECTING PUBLIC SERVANTS AND PRIVATE CITIZENS WHO, IN GOOD FAITH, REPORT ACTS OF CORRUPTION (ARTICLE III (8) OF THE CONVENTION)

A) Legal Framework

- **The adoption and entry into force of the Anti-Corruption Act in October 2017 (SB2017 # 85); http://www.dna.sr/media/192963/SB_2017_85.pdf**

***Article 8 of this Act has 6 paragraphs regulating the protection of a person who report an act of corruption.**

Study the possibility of amending the legislation in place, in particular the Criminal Code, so that the definition of public servant is expanded to include those private citizens who perform public functions or who manage public funds in any capacity or form. (See Section 3.2 of Chapter II of this Report);

***In place: art. 1f and g Anti - Corruption Law**

- **The Amendment of the Criminal Code (SB2015 , #44); [http://www.dna.sr/media/138146/S.B. 2015 no. 44 wet van 30 mrt 15 wijz. wetboekvan strafrecht.pdf](http://www.dna.sr/media/138146/S.B._2015_no._44_wet_van_30_mrt_15_wijz_wetboekvan_strafrecht.pdf)**

***The Amendment of the Criminal Code (SB2015 , #44) (Amended articles: 229a; 230a; 237a; 421; 421a; 427; 427a; 428; 429a; 430a);**

As already stated in the previous rounds, every citizen (including public servants) have the possibility to report an act anonymously. Article 206a of the Code of Criminal Procedure also gives an examining Judge the

possibility to hear someone as a Threatened Witness. In this case his/her identity stays confidential.

In the aforementioned Anti-Corruption law, the terms “public servant” and “reporter” are explained/ expounded. Article 8 of this Act consists of 6 paragraphs regulating the protection of a person who report an act of corruption.

B) Technological Developments

No new information so far.

C) Results

Bearing in mind the recent going into force of the above mentioned Law, no (statistical) results are available so far.

3. ACTS OF CORRUPTION (ARTICLE VI OF THE CONVENTION)

A) Legal Frame work

- **Anti-Corruption act (SB 2017 no. 85) (Definition of Corruption (art.1k); Establishment of an anti-corruption commission and their job description etc. (art.2 par. 1-11; art. 4 par. 1-6); Registers (art.11 par. 1-3) etc. Mostly in accordance with the Convention.**
- **Amendment of the Criminal Code (SB 2015 no. 44) (Amended articles: 229a; 230a; 237a; 421; 421a; 427; 427a; 428; 429a; 430a);**

B) Results

Bearing in mind the recent going into force of the above mentioned Law, no (statistical) results are available so far. Nevertheless, partly because of society's awareness of corruption, the Public Prosecution Service currently has a few (mega) cases in investigation and / or before court.