

# 1 INTERNATIONAL MUTUAL ASSISTANCE

## 1.1 Outline of the System of International Mutual Assistance in Criminal Matters

- a. Authorities responsible for and procedure for implementing international mutual assistance in criminal matters.

The request for legal assistance is addressed to the Procurator General, who in the interest of a speedy and effective settlement immediately decides in respect of the actions to be taken upon the request [Articles 468 and 469 of the Code of Criminal Procedure]

If it involves a request of a foreign judicial authority eligible for granting and is based on a treaty, then the Procurator General transfers this request to the examining judge by means of a written request [Article 473 Code of Criminal Procedure]. The examining judge returns the request, after addition of the written reports of the examinations held by him and that of his further actions, as soon as possible to the Procurator General for passing on to the requesting foreign judicial authority [Article 475 of the Code of Criminal Procedure].

- b. Conclusion of a treaty is not required to comply with a request. Only for requests of a foreign judicial authority that require the Surinamese examining judge to engage in activities is a treaty basis necessary. These requests also have to be addressed to the Procurator General.

The U.N. Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (Vienna Convention 1988) on the basis of Article 7 may serve as the treaty basis for mutual legal assistance in investigations, prosecutions and judicial proceedings in relation to criminal offences established in accordance with Article 3, Paragraph 1.

- c. The grounds for refusal of a request [Article 471 Code of Criminal Procedure]:
  - when there is a suspicion that the request for legal aid was done with the intention of prosecuting the suspect, to penalize him or punish him in any other way because of his religious or political convictions, his nationality, his race or group of the population to which he belongs;
  - insofar as granting of the request for legal assistance would serve to lending assistance to a prosecution or adjudication which is irreconcilable with the principle on which Article 94 of the Criminal Code is based of Ne Bis In Idem or with the prohibition to reinstate prosecution after the criminal case was dismissed by the prosecuting officer [Article 235 of the Code of Criminal Procedure];
  - insofar as it was done for an investigation of facts in respect of which the suspect is being prosecuted in Suriname;

- insofar as it was done for an investigation into punishable acts of a political nature or facts related thereto, unless a treaty obliges the granting of the request [Article 472 Code of Criminal Procedure].

## 1.2 Contact Information

- a. Names and communication details of persons and organisations in charge of mutual assistance procedures:
  - 1. Prosecutor General with the High Court of Justice
    - Name: Mr. Soebhaschandre Punwasi
    - Address: Henck Arronstraat no. 03  
Paramaribo  
Suriname
    - Telephone: (597) 479589
    - Fax: (597) 412104
    - E-mail address: [proc.gen@sr.net](mailto:proc.gen@sr.net)
  - 2. Office of the Procurator General
    - Division: DIRSIB
    - Contact person: Ms. Mirella van Dijk
    - Telephone: (597) 479589
    - Fax: (597) 412104
    - E-mail address: [proc.gen@sr.net](mailto:proc.gen@sr.net)
- b. The languages used by the mutual assistance contact are Dutch or English.