

## ANNEX

### STANDARD FORMAT FOR PRESENTATION OF INFORMATION ON BEST PRACTICES

1. Institution: The name of the institution that is implementing the best practice

**The Anti Corruption Commission Suriname**

2. Title: The name of the best practice, the topic it covers, and the subject of the Convention to which it is related:

**Implementation of the Anti Corruption Commission in Suriname according to Article 2 of the Anti-corruption law, it covers Corruption, it is related to the United Nations Convention against Corruption.**

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, expressly referring to its sustainability:

**The Anti Corruption Commission Suriname was installed on the 5th may 2023 and it will not have completed its move until november 2023.**

**The Anti-corruption commission, hereafter named “the Commission”, is in charge of prevention and early detection of irregularities within state government institutions, and protection of informants of irregularities and referring notifications to the District Attorney, according to Article 2(1).**

**In order to inform society and particularly the public officials mentioned in Article 9 (1) of the Anti-Corruption Law about the procedure for submitting their Income and Asset Declaration, the Anti-Corruption Commission has scheduled a series of information sessions on december 2023.**

**In 2017, the "Law of September 24, 2017, establishing rules on the prevention and combat of corruption and the establishment of an Anti-Corruption Commission, as well as amendments to the Criminal Code and the Decree on the Issuance of Domain Land Anti-Corruption Law," referred to as the Anti-Corruption Law, was promulgated. This law outlines the requirements that the Anti-Corruption Commission must meet to be installed and to perform its duties properly. On Friday, May 5, 2023, this Anti-Corruption Commission, consisting of seven (7) members, was officially inaugurated by the President of the Republic of Suriname.**

**This is the reason why it should be considered a best practices.**

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:

**Before this law was adopted, it was only possible to use other laws which was not adequate. By implementing this law, it makes it possible and easier to identify probable cases of unlawful enrichment. The government can obtain evidence of dishonest inflows.**

**The public officials who attained the levels of Manager are required to make a truthful declaration of their personal income and assets, with reference to the sources of the income, and if applicable, the nominal value of participation and interests in legal bodies and businesses related to legal bodies, and give it to a Notary Public for safekeeping pursuant to part 5 in a standard form to be established by a state decree, according to Article 9(1).**

5. Approach:

**Pursuant to Article 2 of the Anti-Corruption Law (S.B. 2017, no. 85), an Anti-Corruption Commission is established, tasked with the prevention and early detection of irregularities within State institutions, as well as protecting whistleblowers of irregularities and forwarding reports to the Attorney General at the Court of Justice;**

**In fulfillment of one of the conditions stipulated in the Staff-Level Agreement between the International Monetary Fund (IMF) and the Republic of Suriname dated April 2021, it is required to activate the Anti-Corruption Commission;**

**Adhering to the prescribed procedure in the Anti-Corruption Law, 7 individuals out of the 8 approved candidates have now been selected for appointment as members of the Anti-Corruption Commission.**

6. Implementation: How is the best practice being implemented? What were the human and financial resources needed for its implementation?

The Anti-Corruption Commission is being implemented in accordance with Article 2(2) and (3):

2. 2. The Commission consists of at least 5 (five) and at most 7 (seven) members, who are appointed, suspended and fired by the President, after The National Assembly was consulted.

**3.The Commission consists of independent specialists of which 3 (three) members are nominated by the minister to the President upon the recommendation of:**

- a. The District Attorney's Office;
- b. The Central Government Accounting Service;

**c. The Internal Revenue Service.**

**The other members must possess the knowledge of one of the following areas: Information and Communication Technology (ICT), organizational science, financial management control and auditing in the public sector and insight in the functioning of the public sector, the government organization and the relevant decision making processes.**

**The Commission and the bureau named in article 4 part 5 are covered by the budget of the Ministry of Justice and Police. The rules of the bylaws of the Commission, the legal position and the labor conditions of the chairman and the members are regulated via a state decree.**

7. Outcome: What is the end result or expected end result of implementing the best practice? What are the benefits and/or success stories? Have they addressed the problems originally identified as necessitating a best practice to be implemented? What has been its impact?

**The expected outcome of the implementation of the Anti-Corruption Commission in Suriname may depend on various factors, including the effectiveness of the measures and the degree of collaboration with other entities.**

**The goal is to reduce corruption in Suriname by investigating cases of corruption, gathering evidence, and taking appropriate measures.**

**Building a systematic approach to addressing corruption across various levels of government and society and also to make sure policy measures are being implemented to prevent future occurrences.**

**Increasing transparency and accountability in the public sector.**

**The success of the Anti-Corruption Commission will be measured by successful prosecutions of corruption cases and resulting convictions. And Improvements in the public perception of corruption.**

**Addressing resistance to anti-corruption measures and raising awareness within society about the negative consequences of corruption.**

**Impact:**

**The impact can be measured by the degree of success in reducing corruption, restoring trust in government institutions, and improving the overall integrity of public administration.**

**And any positive changes in international perceptions of Suriname regarding corruption.**

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?

**Accordance to Article 2: A member of the Commission is dismissed by the President:**

- a. at one's own request;
- b. when he/she reaches the age of 70 (seventy);
- c. in case of proven disability because of persistent illness, mental or physical disabilities;
- d. in case of curatorship;
- e. when he/she accepts other positions which are incompatible with the membership of the
- f. in case of a conviction by a judge or when the member is being investigated for criminal behavior;
- g. for violating the applicable confidentiality obligation or proven unsuitability for the function;
- h. when the member has been declared bankrupt or got receivership or has been kidnapped for debt;
- i. when the member, in the opinion of the National Assembly with a two third majority vote, by acting or failing to act, damages the confidence in him, and the President was informed about this;
- j. when the member loses the Surinamese nationality.

Pursuant to the Anti-Corruption Law SB 2017 No. 85, Article 3, the Commission is required to annually submit a report on its preventive duties and activities to the National Assembly and the Government.

And in Article 21 an evaluation Report must be submitted no later than two years from the effective date of this law, the Commission annually submits an evaluation report to the National Assembly and the Government regarding the application of the provisions in this law.

10. Lessons: What are some of the lessons learned in implementing the Best Practice? What are the challenges in implementing the best practice? **Due to the fact that this is the inaugural Anti-Corruption Commission in Suriname and, effectively, the Commission had to operate from ground zero, it is predictable that several challenges have arisen**

#### **Location and Logistics Matters:**

- a. **The Commission had to independently search for a suitable location and request quotations. It was observed that many landlords are unwilling to engage with the government. En Approval for the chosen location in the Council Proposal took months due to certain details not being specified beforehand, such as obtaining a valuation report.gning Ultimately, the Commission only occupied the approved workplace in October.**
- d. **Approval for the purchase of furniture, equipment, etc., to set up the premises has been granted by the Council of Ministers, but it has not been processed to date. As a result, the**

Commission has been working partly with its own funds and partly with borrowed funds from the Ministry of Justice and Police.

**Staffing:**

Due to the delayed establishment of the "Bureau Anticorruptie Commissie" execution decree, the Commission cannot advertise job vacancies.

**Tasks Not Assigned to the Commission**

The Commission was given a year to carry out preparatory work. Initially, the plan was not to start submitting the Declaration of Income and Assets (VIV), but due to IMF requirements, this was brought forward.

**Inconsistencies in Legislation:**

- a. The law states that when submitting the Declaration of Income and Assets, jewelry must be included from the amount of 25,000 Surinamese Dollars. However, the implementation decree states that it pertains to an amount above 10,000 US Dollars.
- b. The Chairperson of the Anti-corruption Commission may administer an oath to a witness in the context of control and investigation at state institutions (Article 4, paragraph 2d), but the Chairperson (and other members) of this Commission have not taken an oath or pledge themselves, and according to the Anti-corruption Law, this is not required.

**Identifying Target Groups:**

- a. It is unclear if officials in acting roles are included among the target groups, as some officials remain in acting roles for years, where they are also allowed to make important decisions.
- b. Board members of foundations subsidized by the government are obligated to submit the VIV. However, the remuneration of board members of social institutions, in some cases, is low to even nonexistent, and notary fees may pose a significant burden.

11. Documentation: Where can further information be found regarding the best practice (e.g., Internet links)?

<https://acc.sr/>

12. Contact: Who can be contacted for further information?

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