

**THE CONSTITUTION
OF THE REPUBLIC OF SURINAME**
(BULLETIN OF ACTS AND DECREES 1987 NO. 166)

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FOREWORD TO THE FIRST EDITION

This is the text of the Constitution of the Republic of Suriname of 1987, as it was published in the Bulletin of Acts and Decrees of the Republic of Suriname no. 166. Before you lies the version which includes the most recent amendments (Bulletin of Acts and Decrees 1992 no. 38). The acting text, however, still contains references made to repealed articles or paragraphs. These faulty references could not be excluded as a translation should be true to the original. For the sake of clarity, we added square brackets where necessary.

For the terminology we have chosen to adhere to legal concepts of the Civil Law system as they are known in English. Furthermore, the terminology chosen will be used consistently throughout all legislation in translation and is in the process of being standardised throughout the government service and the media.

We would like to thank all people who were involved in making this publication possible. We especially would like to thank our proof-readers, Sean Taylor and Karen Russell-Graham, for their patience and excellent suggestions, as well as Ewald Ombre, Judge with the High Court of Justice in Suriname, for his assistance in clarifying the Dutch text. Finally, we owe much thanks to the Translation Department of the Ministry of Education for its support and for making available all necessary material.

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FOREWORD TO THE SECOND EDITION

This second edition of the Constitution of the Republic of Suriname of 1987 was especially revised and prepared for the Elections 2000. There are no major changes to the English translation, only some adjustments made on the basis of terminological experience and insights gained over the past four years. With these elections in mind it was bundled together with the other legal regulations pertaining to the elections in a special issue.

I would like to thank all people who were involved in making this publication possible. In addition, for this revised edition I would especially like to thank Carla Simons, for helping me out in doing some speedy revisions and Sean Taylor for his helpful suggestions and Mr. E. Rudge Ll.M., for helping me out with some legalese issues.

Monique S. Pool

CONSTITUTION OF THE REPUBLIC OF SURINAME

THE NATIONAL ASSEMBLY

1987

No. 166

PREAMBLE,

WE, THE PEOPLE OF SURINAME,

inspired by the love for this Country and the belief in the power of the Almighty and guided by the age-long struggle of our People against colonialism, which was terminated by the establishment of the Republic of Suriname on 25 November 1975,

considering the coup d'état of 25 February 1980 and the consequences thereof,

conscious of our duty to combat and prevent every form of foreign domination,

resolved to defend and protect the national sovereignty, independence and integrity,

conscious of the will to determine our own economic, social and cultural development in full freedom,

convinced of our duty to honour and guarantee the principles of freedom, equality and democracy as well as the fundamental rights and freedoms of man,

inspired by a civic spirit and by the participation in the establishment, expansion and maintenance of a society that is socially just,

determined to collaborate with one another and with all peoples of the world on the basis of freedom, equality, peaceful co-existence and international solidarity,

SOLEMNLY DECLARE TO ACCEPT, AS A RESULT OF THE PLEBISCITE HELD, THE FOLLOWING CONSTITUTION.

CHAPTER I

SOVEREIGNTY

First Section

THE REPUBLIC OF SURINAME

Article 1

1. The Republic of Suriname is a democratic State based on the sovereignty of the people and on respect for and the guarantee of fundamental rights and liberties.
2. The Surinamese Nation shall determine in full freedom its economic, social and cultural development.

Second Section

TERRITORY

Article 2

1. Suriname consists of the territory on the South American continent, which has been defined as such.
2. The State shall not alienate any territory or sovereign rights which it exercises over that territory.
3. The expanse and boundaries of the territorial waters and the rights of Suriname to the adjacent continental shelf and the economic zone shall be determined by law.

Third Section

NATIONALITY

Article 3

1. It shall be determined by law who is a Surinamese citizen and who is a resident.
2. Naturalization shall be regulated by law.
3. All Surinamese citizens shall be allowed access into Suriname and are

free to travel and to reside within Suriname, except in the cases as defined by law.

4. All Surinamese citizens shall be eligible for appointment to any public office without discrimination.

5. The law shall determine to which public offices foreigners can be appointed.

6. The admission of foreigners and their expulsion shall be regulated by law.

7. The law shall determine the rules with regard to the extradition of foreigners; extradition can only be effected on the basis of a treaty and in the manner determined by law.

Fourth Section

STATE AND SOCIETY

Article 4

The concern of the State is aimed at:

- a. the building and maintenance of a national economy, free from foreign domination;
- b. a secured means of livelihood for the entire population;
- c. sufficient employment with the guarantee of freedom and justice;
- d. the sharing of everyone in economic, social and cultural development and progress;
- e. the participation, in the perception of one's citizenship, in establishing, expanding and maintaining a just society;
- f. the guaranteeing of national unity and sovereignty.

CHAPTER II

ECONOMIC OBJECTIVES

Article 5

1. The economic objectives of the Republic of Suriname shall aim at the establishment of a national economy, free from foreign domination and in the interest of the Surinamese nation.
2. The economic system within which the socio-economic development takes place shall be characterized by joint, contemporaneous and equal functioning of state enterprises, private enterprises, enterprises in which the State and private persons participate in common and co-operative enterprises, according to the applicable legal regulations in respect thereof.
3. It is the duty of the State to promote and guarantee as much as possible all types of entrepreneurial production.

CHAPTER III

SOCIAL OBJECTIVES

Article 6

The social objectives of the State shall aim at:

- a. the identification of the potential for development of its own natural environment and the augmentation of the capacity to increasingly expand that potential;
- b. guaranteeing the participation of the community in political life, among other things, through national, regional and sectoral participation;
- c. guaranteeing a government policy aimed at raising the standard of living and well-being of the society, based on social justice, and the integral and balanced development of State and society;
- d. an equitable distribution of the national income, directed towards a fair distribution of well-being and wealth among all strata of the population;
- e. a regional spread of public services and economic activities;
- f. the improvement of co-determination by the employees in companies and production units in taking decisions regarding production, economic development and planning;

- g. creating and improving the necessary conditions for the protection of nature and for the preservation of the ecological balance.

CHAPTER IV

INTERNATIONAL PRINCIPLES

Article 7

1. The Republic of Suriname recognizes and respects the right of nations to self-determination and national independence on the basis of equality, sovereignty and mutual benefit.
2. The Republic of Suriname promotes the development of the international legal order and supports the peaceful settlement of international disputes.
3. The Republic of Suriname rejects any armed aggression, any form of political and economic pressure, as well as any direct or indirect intervention in the domestic affairs of other States.
4. The Republic of Suriname promotes solidarity and collaboration with other peoples in combatting colonialism, neocolonialism, racism and genocide, and in the fight for national liberation, peace and social progress.
5. The Republic of Suriname promotes participation in international organisations with the objective of establishing peaceful co-existence, peace and progress for humanity.

CHAPTER V

BASIC RIGHTS

INDIVIDUAL RIGHTS AND FREEDOMS

Article 8

1. All who are within the territory of Suriname shall have an equal claim to protection of person and property.

2. No one shall be discriminated against on grounds of birth, sex, race, language, religion, education, political opinion, economic position or any other status.

Article 9

1. Everyone has a right to physical, mental and moral integrity.

2. No one may be subjected to torture, degrading or inhumane treatment or punishment.

Article 10

Everyone shall have, in case of infringement of one's rights and freedoms, a claim to an honest and public treatment of his complaint within a reasonable time by an independent and impartial judge.

Article 11

No one may be kept against his will from the judge whom the law assigns to him.

Article 12

1. Everyone has the right to legal assistance before the court.

2. The law shall provide regulations with regard to legal aid for the financially weak.

Article 13

The loss of civil rights or the general forfeiture of all the property of an offender may not be imposed as a penalty or as a consequence of a penalty for any crime.

Article 14

Everyone has the right to life. This right shall be protected by the law.

Article 15

No one shall be obliged to do forced or compulsory labour.

Article 16

1. Everyone has the right to personal liberty and safety.
2. No one shall be deprived of his freedom, other than on the grounds of and according to proceedings determined by law.
3. Everyone who is deprived of his freedom has a right to treatment in accordance with human dignity.

Article 17

1. Everyone has a right to respect for his privacy, his family life, his home, and his honour and good name.
2. No dwelling may be entered against the will of the occupant, except by order of an authority which has the power to give such order by virtue of law and subject to the conditions prescribed by the law.
3. The confidentiality of correspondence, telephone and telegraph shall be inviolable except in the cases described by law.

Article 18

Everyone has the right to freedom of religion and philosophy of life.

Article 19

Everyone has the right to freedom of opinion and expression through the printed press or other means of communication, subject to the responsibility of all as set forth in the law.

Article 20

Everyone has the right to freedom of peaceful association and assembly, taking into consideration the rules to be determined by law for the protection of public order, safety, health and morality.

Article 21

1. The right to demonstrate peacefully is recognized.
2. In the interest of public order, safety, health and morality the use of this right can be subject to rules and limitations determined by law.

Article 22

1. Everyone has the right to submit written petitions to the competent authority.
2. The law regulates the procedure for the treatment thereof.

Article 23

In case of war, threat of war, state of siege or state of emergency or for reasons of state security, public order and good morals, the rights mentioned in the Constitution may be subject to limitations determined by law, which will be in force during a certain time, depending on the circumstances, in compliance with the international rules applicable in respect thereof.

CHAPTER VI

SOCIAL, CULTURAL AND ECONOMIC RIGHTS AND OBLIGATIONS

First Section

THE RIGHT TO WORK

Article 24

The State shall take care of the creation of conditions in which an optimal satisfaction is attained of the basic needs for work, food, health-care, education, energy, clothing and communication.

Article 25

Labour is the most important means of human development and an important source of wealth.

Article 26

1. Everyone has the right to work, in accordance with his capacities.
2. The duty to work is inseparably linked to the right to work.
3. Everyone has the right of free choice of profession and work, except for regulations imposed by law.
4. Everyone has the right of initiative for economic production.

Second Section

STATE CONCERN FOR LABOUR

Article 27

1. It shall be the duty of the State to guarantee the right to work as much as possible by:
 - a. following a planned policy, aimed at full employment;
 - b. forbidding dismissals without good cause or on political or ideological grounds;
 - c. guaranteeing equal opportunity in the choice of profession and type of work and forbidding that access to any function or profession shall be prevented or limited on grounds of sex;
 - d. promoting professional training for employees.
2. The State shall take care of creating conditions for the optimal promotion of initiatives for economic production.

Third Section

RIGHTS OF EMPLOYEES

Article 28

All employees shall have, independent of their age, sex, race, nationality, religion or political beliefs, the right to:

- a. remuneration for their work corresponding to quantity, type, quality and experience on the basis of equal pay for equal work;
- b. the performance of their task under humane conditions to enable self-development;
- c. safe and healthy working conditions;
- d. sufficient rest and recreation.

Fourth Section

DUTIES OF THE STATE CONCERNING THE RIGHTS OF EMPLOYEES

Article 29

It is the duty of the State to indicate the conditions for work, remuneration and rest to which employees are entitled, especially by:

- a. making regulations with regard to wages, working hours, labour conditions and special categories of workers;
- b. supplying special protection at the workplace for women during and after pregnancy, for minors, disabled persons and for those who are engaged in work which demands special efforts or who work in unhealthy or dangerous conditions.

Fifth Section

FREEDOM OF TRADE UNIONS

Article 30

1. Employees are free to establish trade unions to protect their rights and interests.

2. In exercising trade union rights the following freedoms shall be guaranteed without discrimination:

- a. freedom to join a trade union or not;
- b. the right to participate in trade union activities.

3. Trade unions shall be governed by the principles of democratic organisation and management based on regular elections of their executive committee by means of a secret vote.

Sixth Section

RIGHTS OF TRADE UNIONS AND COLLECTIVE AGREEMENTS

Article 31

1. The trade unions shall have the power to defend the rights and interests of the employees they represent and for whom they assume responsibility.

2. Trade unions shall be involved in:

- a. the preparation of labour legislation;
- b. the creation of institutions of social security and other institutions aimed at serving the interests of employees;
- c. the preparation for and the control of the execution of economic and social plans.

3. Trade unions shall have the right to conclude collective labour agreements.

The rules concerning the powers to conclude collective labour agreements and the sphere of application of their rules shall be determined by law.

RIGHTS OF EMPLOYERS

Article 32

The associations for the protection of the interests of business entrepreneurs shall have the power to defend the rights and interests of those whom they represent and for whom they assume responsibility.

Seventh Section

THE RIGHT TO STRIKE

Article 33

The right to strike is recognized, subject to the limitations which originate in the law.

Eighth Section

THE RIGHT TO PROPERTY

Article 34

1. Property, both of the community and of private persons, shall fulfil a social function. Everyone has the right to the undisturbed enjoyment of his property, subject to the limitations which originate in the law.

2. Expropriation shall take place only in the general interest, pursuant to rules to be laid down by law and against compensation guaranteed in advance.

3. Compensation need not be previously assured if, in case of an emergency, immediate expropriation is required.

4. In cases determined by or pursuant to the law, the right to compensation shall exist if, in the public interest, the competent authority destroys or renders property unusable or restricts the exercise of property rights.

Ninth Section

THE FAMILY

Article 35

1. The family is recognized and protected.

2. Husband and wife are equal before the law.

3. Every child shall have the right to protection without any form of discrimination.

4. Parents shall have the same responsibilities towards legitimate and natural children.
5. The State recognizes the extraordinary value of motherhood.
6. Working women shall be entitled to paid maternity leave.

Tenth Section

HEALTH

Article 36

1. Everyone has the right to health.
2. The State shall promote general health-care by a systematic improvement of living and working conditions and shall give information on the protection of health.

Eleventh Section

YOUTH

Article 37

1. Young people shall enjoy special protection for the enjoyment of economic, social and cultural rights, including:
 - a. access to education, culture and work;
 - b. vocational education;
 - c. physical training, sports and leisure.
2. The primary goal of youth policy shall be the development of the personality of the young person and of his sense to serve the community.

Twelfth Section

EDUCATION AND CULTURE

Article 38

1. Everyone has the right to education and cultural expression.

2. Education shall be free, subject to State supervision of all public educational institutions, in order that the national education policy and the educational standards laid down by the State shall be observed.

3. The practice of science and technology shall be free.

4. The State shall promote the kind of education and the conditions under which school education and other forms of education can contribute to the development of a democratic and socially just society.

5. The State shall promote the democratization of culture by promoting the enjoyment of culture and cultural creativeness, and by guaranteeing the accessibility to those cultural creations to all citizens by means of cultural and recreational organisations, information media and other suitable channels.

Thirteenth Section

EDUCATION

Article 39

1. The State recognizes and guarantees the right of all citizens to education and shall offer equal access to education to all.

2. In the execution of its education policy the State shall be obliged:

- a. to guarantee compulsory and free elementary education;
- b. to guarantee sustainable education and to eradicate illiteracy;
- c. to grant access to the highest levels of education, scientific research and artistic creation to all on the basis of merit;
- d. to provide, in phases, free education on all levels;
- e. to harmonise education with the productive and social needs of the society.

CHAPTER VII

THE ECONOMIC SYSTEM

Article 40

In order to promote socio-economic development towards a socially just society, a development plan shall be laid down by law, incorporating the national and socio-economic objectives of the State.

Article 41

Natural riches and resources are the property of the nation and shall be used to promote economic, social and cultural development. The nation has the inalienable right to take complete possession of its natural resources in order to utilize them to the benefit of the economic, social and cultural development of Suriname.

Article 42

1. The law shall guarantee that the method in which trade and industry are conducted shall not be contrary to national objectives and public interest, notably public order, health, morality, and state security.
2. The traffic of foreign currency shall be regulated by law.

Article 43

Facilities for the promotion of investments in the productive sector shall be determined by law.

Article 44

The right to industrial property shall be regulated by law.

CHAPTER VIII

THE SOCIAL SYSTEM

Article 45

The social system shall, in principle, be based on a society in which all Surinamese citizens have equal rights and obligations.

Article 46

The State shall create the conditions which underlie the education of citizens who are capable of participating in a democratic and effective manner in the development process of the nation.

Article 47

The State shall save and protect the cultural heritage of Suriname, shall promote its preservation and shall encourage the use of science and technology in the context of the national development objectives.

Article 48

1. The State shall supervise the production and availability of and the trade in chemical, biological, pharmaceutical and other products intended for consumption, medical treatment and diagnosis.
2. The State shall supervise all medical, pharmaceutical and paramedical practitioners and practices.
3. The inspection of the products and professions mentioned in the first and second paragraphs shall be regulated by law.

Article 49

A housing plan shall be determined by law, aimed at the provision of a sufficient number of affordable houses and State control on the use of real estate for public housing.

Article 50

The policy in relation to social security for widows, orphans, the aged, the disabled and incapacitated workers shall be laid down by law.

Article 51

The State shall take care to make the services of legal aid institutions accessible to those seeking justice.

CHAPTER IX

PRINCIPLES OF DEMOCRATIC STATE ORGANISATION

First Section

POLITICAL DEMOCRACY

Article 52

1. All political power is vested in the people and shall be exercised in accordance with the Constitution.

2. The political democracy is characterized by the participation and representation of the Surinamese people, which shall express itself through the participation of the people in establishing a democratic political system, as well as in their participation in legislation and administration aimed at the maintenance and expansion of this system. The political democracy shall further create the condition for the participation of the people in general and free elections by secret ballot for the composition of the representative organs and of the Government.

3. Accountability to the people, supervision of government actions by organs created for that purpose and the right of recall with respect to elected representatives are guarantees for true democracy.

Second Section

POLITICAL ORGANISATIONS

Article 53

1. The State recognizes the right of citizens to establish political organisations, subject to the limitations originating in the law.

2. Political organisations shall respect national sovereignty and democracy.

3. In exercising their rights the political organisations shall take the following into account:

- a. their objectives shall not be in violation of or be incompatible with the Constitution and the law;
- b. the organisations shall be accessible to each Surinamese citizen who meets the criteria to be defined by law, provided that he agrees with the basic principles of the party;
- c. the internal organisation must be democratic, which shall be evidenced, inter alia, by:
 - regular committee elections;
 - the prerequisite that candidates nominated for election to the people's representative bodies shall be elected within the party structure;

- d. the electorate shall be informed of the political programme and the election program of the political organisations;
- e. income sources and accounts shall be published annually in the Official Gazette of the Republic of Suriname and at least one daily newspaper;
- f. their functioning shall be in accordance with the principles of good administration, and with prescribed legal rules for the guarantee of openness and transparency;
- g. the drafting of a programme, with as its single goal the promotion of the national interest.

Third Section

BASIC PRINCIPLES FOR THE FUNCTIONING OF THE INSTITUTIONS OF GOVERNMENT

Article 54

1. The State is obligated to register all voters and to notify them to participate in the elections. The registration of the voters shall serve no other purpose. The voters are obligated to co-operate with the registration of the electorate.
2. For the organisation and the functioning of the institutions of government, the following principles shall be respected:
 - a. decisions of higher institutions of government shall be binding upon lower institutions. This rule does not apply to judicial institutions;
 - b. lower institutions of government shall be answerable to the higher institutions and shall render account of their work;
 - c. the administrative and executive institutions shall be subject to control by the representative bodies;
 - d. the freedom of discussion, criticism and recognition of the minority by the majority shall apply in all councils and state institutions;
 - e. those who hold political office shall be liable in civil and in criminal law for their acts and omissions;
 - f. those who hold political office shall be under the obligation to fulfil their tasks in the public interest;
 - g. no one shall be nominated for life in any political office;
 - h. the central government shall take care of a well-organized, regular dissemination of information on government policy and government administration to enable the people to optimally participate in the administrative structures.

The lower government shall have the obligation to create a process of communication with the people, for the purpose of making the Government answerable to the public and to ensure the participation of

the people in policy-making.

CHAPTER X

THE NATIONAL ASSEMBLY

First Section

ORGANISATION AND COMPOSITION OF THE NATIONAL ASSEMBLY

Article 55

1. The National Assembly represents the people of the Republic of Suriname, and shall express the sovereign will of the nation.
2. The National Assembly is the highest institution of State.

Second Section

ELECTION OF THE MEMBERS OF THE NATIONAL ASSEMBLY

Article 56

1. Members of the National Assembly shall be elected for a five-year term.
2. This five-year term shall only be prolonged by law in case of war or other extraordinary circumstances, which prevent an election from being held.

Article 57

1. The members of the National Assembly shall be elected directly by residents having Surinamese nationality and having reached the age of eighteen years.
2. Each voter shall have only one vote.

Article 58

The following persons shall be debarred from exercising the right to vote:

- a. persons who have been denied the right to vote by an irrevocable judicial decision;
- b. persons who are lawfully kept in detention;
- c. persons who have lost the right to dispose of or administer their property by irrevocable judicial decision on the grounds of insanity or a mental deficiency.

Article 59

All residents who have Surinamese nationality, who have reached the age of twenty-one and have not been deprived of the right to vote on the grounds mentioned in the previous article under (a) and (c), are qualified to be elected.

Article 60

Everything further pertaining to the right to vote, to the creation of an independent electoral council and its powers, to the division of Suriname in electoral districts, to the repartition of seats in the National Assembly by electoral district, and to the methods according to which the allocation of seats takes place shall be regulated by law. Such law shall be passed with a two-thirds majority.

Third Section

MEMBERSHIP OF THE NATIONAL ASSEMBLY

Article 61

1. The National Assembly consists of 51 members elected per district on the basis of general and free elections by secret ballot, pursuant to the system of proportionate representation by the highest average and preferential votes.
2. Persons who have submitted their candidacy for election as representatives to the National Assembly shall live in the district involved and shall have had their main or actual residence there for two years prior to the elections.

Article 62

The law determines for which functions membership of the National Assembly shall result in the suspension from duty.

Article 63

REPEALED

Article 64

The term of session of the National Assembly and of the other representative institutions on the local and district level shall coincide as much as possible.

Article 65

On assuming office, the members shall make the following oath or affirmation:

"I swear (solemnly, sincerely and truly declare and affirm) that in order to be elected a member of the National Assembly I have not given or promised, nor will give or promise, directly or indirectly, under any name or pretext whatsoever, anything to anyone whomsoever.

I swear (solemnly, sincerely and truly declare and affirm) that in order to do or refrain from doing anything whatsoever in this office, I will not accept any promises or presents, directly or indirectly, from anyone whomsoever.

I swear (solemnly, sincerely and truly declare and affirm) that I will conscientiously fulfil the office of member of the Assembly.

I swear (solemnly, sincerely and truly declare and affirm) that I will foster the well-being of Suriname to the best of my abilities.

I swear (solemnly, sincerely and truly declare and affirm) obedience to the Constitution and all other legal regulations.

I swear (solemnly, sincerely and truly declare and affirm) allegiance to the Republic of Suriname.

So help me, God Almighty (I so solemnly declare and affirm)."

Article 66

Within, but no later than, thirty days after the members of the National Assembly have been elected, this institution shall convene under the chairmanship of the member senior in years, and in case of absence or nonappearance, always under the next eldest member. In this meeting the

National Assembly shall examine the credentials of its new members, and shall settle disputes arising from those credentials or from the election itself, according to rules to be laid down by law.

In the case in which several members could be appointed as most senior member, the person to be appointed as acting chairman shall be chosen by lot.

Article 67

1. The most senior member as intended in the previous article shall, prior to the meeting, take the required oath or affirmation before the President, after which he shall swear in the other fifty members. Thereafter the meeting attends to the business of electing a speaker and a deputy speaker of the National Assembly, who shall immediately assume their functions.

2. The speaker shall take the required oath or affirmation in the National Assembly before the acting chairman.

3. If the acting chairman is elected as speaker he shall take the required oath or affirmation in the National Assembly before the deputy speaker.

Fourth Section

TERMINATION OF MEMBERSHIP OF THE NATIONAL ASSEMBLY

Article 68

1. Membership of the National Assembly shall be terminated in case of:

- a. death;
- b. resignation;
- c. a recall of the member in the manner to be laid down by law;
- d. the occurrence of conditions which exclude the eligibility for election;
- e. an appointment as Minister or Under-Minister;
- f. absence during an uninterrupted period of five months;
- g. a conviction for a criminal offence by an irrevocable judicial decision involving detention of at least five months.

2. Membership of the National Assembly is incompatible with the office of Minister or Under-Minister, provided that upon the election of a Minister or Under-Minister as a Member to the National Assembly, the office of Minister

or Under-Minister can be combined with membership of the National Assembly for no longer than three months after admission to the National Assembly.

3. Further rules in relation to the loss of membership of the National Assembly can be laid down by law.

CHAPTER XI

THE LEGISLATURE

First Section

THE EXERCISE OF LEGISLATIVE POWERS

Article 69

The legislature, the Government and the other institutions of government shall adhere to the provisions of the Constitution.

Article 70

The Legislative Power shall be exercised jointly by the National Assembly and the Government.

Second Section

POWERS OF THE NATIONAL ASSEMBLY

Article 71

1. The National Assembly shall have the power to decide on all bills which are submitted to it for approval.

2. The National Assembly shall have the power to decide by a two-thirds majority on the organisation of a People's Assembly or a plebiscite in those cases deemed necessary by the National Assembly, without prejudice to the provisions of Article 179, paragraph 2.

3. The National Assembly shall establish its own standing orders. These standing orders, in which rules of procedure for the People's Assembly shall be included, will be promulgated by state decree.

Article 72

Without prejudice to what is enshrined elsewhere in the Constitution for regulation by law, the following matters shall in any case be regulated by law:

- a. treaties, subject to the provisions of Article 104;
- b. the amendment of the Constitution;
- c. the declaration and termination of the state of war, the civil or military state of emergency;
- d. the determination and change of the political and administrative subdivision of the Republic of Suriname;
- e. the determination of the expanse and the boundaries of the territorial waters, and the rights of the Republic of Suriname to the adjacent continental shelf and the economic zone;
- f. the establishment of a council for national development;
- g. the granting of amnesty or pardon.

Article 73

The socio-economic and political policy of the Government shall require prior approval by the National Assembly.

EXECUTIVE TASKS OF THE NATIONAL ASSEMBLY

Article 74

The National Assembly has the following executive tasks:

- a. electing the President and Vice-President, and deciding on their premature resignation;
- b. placing the nominations of the chairman, deputy chairman, the members and their appointed deputies of the institution in charge of the supervision and control of the expenditure of the state finances to the President;
- c. placing the nominations of the members of the Constitutional Court and their appointed deputies to the President;
- d. appointing, suspending and discharging the clerk of the Assembly;
- e. organising any People's Assembly.

Third Section

LEGISLATIVE PROCEDURE, RIGHTS OF AMENDMENT,

INITIATIVE, INTERPELLATION AND INQUIRY

Article 75

1. The President shall submit the bills or other government proposals to the National Assembly by written note.
2. Public debate on any government proposal which has been received shall always be preceded by an inquiry into that proposal.
3. The National Assembly shall determine in its standing orders the manner in which such inquiry shall be conducted.

Article 76

The National Assembly shall have the right to amend bills proposed by the Government.

Article 77

1. If the National Assembly resolves to pass the bill, whether amended or not, it shall notify the President thereof.
2. If the National Assembly resolves not to pass the bill, it shall also give notice thereof to the President, with the request to review the bill more thoroughly. As long as the National Assembly has not taken a decision, the President shall have the right to withdraw the bill which he has submitted.

Article 78

Each member of the National Assembly shall have the right to propose a bill to the National Assembly.

Article 79

The National Assembly shall have the right of inquiry, which shall be regulated by law.

Article 80

1. All bills passed by the National Assembly and approved by the

President shall acquire force of law after promulgation.

2. The laws shall be inviolable, subject to the provisions of Articles 106, 137 and 144 paragraph 2.

Fourth Section

PROCEDURE

Article 81

Annually, and at the latest on the first working day of October, the President shall address the National Assembly in an extraordinary session on the policy to be followed by the Government.

Article 82

All meetings of the National Assembly shall be open to the public, except in special cases if it decides to convene behind closed doors.

Article 83

1. The National Assembly shall not commence deliberations or take decisions if not more than half of its members are present.

2. All decisions of the National Assembly shall be taken by a normal majority of votes, except for the provisions of paragraph 3 of the present Article, and of Article 60, Article 70 [paragraph 2], and Article 84, paragraph 4.

3. A majority of at least two-thirds of the constitutional number of members of the National Assembly shall be required for decisions concerning:

- a. the amendment of the Constitution;
- b. the amendment of the electoral act insofar as it involves the subjects indicated in Article 60;
- c. the election of the President;
- d. the election of the Vice-President;
- e. the organisation of a People's Assembly, subject to the provisions of Article 181, paragraph 2;
- f. the organisation of a plebiscite.

Article 84

1. In the event of an equality of votes at a meeting attended by all who are at that moment members of the National Assembly, the motion shall be considered as having been defeated.

2. In the event of an equality of votes at a meeting not attended by all who are at that moment members of the National Assembly, the decision shall be postponed to a subsequent meeting. The motion shall be considered as having been defeated in the event of an equality of votes in such meeting.

3. Voting shall be by roll-call if at least five members desire this and shall then be by word-of-mouth; however, in case of the election or nomination of persons, voting shall be by secret and unsigned ballot.

4. The meeting can decide by at least two-thirds of the votes cast that voting on a specific matter shall be by secret and unsigned ballot.

Article 85

1. The Government shall provide the National Assembly with the requested information either in writing or orally.

The Government can be invited by the National Assembly to attend the meeting.

2. The Government may attend meetings of the National Assembly as well as of the People's Assembly. It has an advisory role in those meetings. The Government can be assisted in these meetings by experts.

Article 86

The law shall regulate the financial provisions for the members and former members of the National Assembly and their surviving relatives.

Article 87

1. The National Assembly appoints, suspends and discharges its clerk. The clerk may not at the same time be a member of the National Assembly.

2. The law shall regulate his legal position.

Fifth Section

IMMUNITY

Article 88

The speaker, the members of the National Assembly, the Government and the experts referred to in Article 85, paragraph 2, shall be exempted from criminal prosecution for anything they have said in the Assembly or have submitted to it in writing, except if in so doing they have made public what was said or submitted under obligation of confidentiality in a closed meeting.

Article 89

The National Assembly is bound to inform the District Councils in a manner to be laid down by law on decisions taken or viewpoints which concern their districts.

CHAPTER XII

THE PRESIDENT

First Section

GENERAL PROVISIONS

Article 90

1. The President is Head of State of the Republic of Suriname, the Head of Government, the Chairman of the Council of State and of the Security Council.
2. He is answerable to the National Assembly.

Article 91

1. The President and the Vice-President are elected by the National Assembly for five years. The term of office of the President is terminated upon the inauguration of the President-elect. If the office becomes vacant, then the President-elect begins a new term of office.
2. The provisions of the previous paragraph apply equally to the Vice-President.

Article 92

1. To qualify for election as President or Vice-President a candidate must:

- have Surinamese nationality;
- be at least thirty years of age;
- not be excluded from the right to vote and the right to be elected;
- not have acted in violation of the Constitution.

2. Before submitting his candidacy, he must have had his domicile and main and actual residence in Suriname for at least six years.

Article 93

At the inauguration, the President and the Vice-President shall take the following oath or affirmation before the National Assembly:

"I swear (solemnly, sincerely and truly declare and affirm) that, in order to be elected President (Vice-President) of the Republic of Suriname, I have not given or promised, nor will I give or promise, directly or indirectly, under any name or pretext whatsoever, anything to anyone whomsoever.

I swear (solemnly, sincerely and truly declare and affirm) that in order to do or refrain from doing anything whatsoever in this office, I will not accept any promises or presents, directly or indirectly, from anyone whomsoever.

I swear (solemnly, sincerely and truly declare and affirm) that in fulfilling the office of President (Vice-President) I will attend to and foster, with all my powers, the interests of the country and people.

I swear (solemnly, sincerely and truly declare and affirm) that I will defend and preserve, with all my powers, the independence and territory of the Republic of Suriname; that I will protect the general and individual liberty and the rights of all people, and will employ, for the maintenance and promotion of the individual and general welfare, all means which the laws and circumstances place at my disposal, as a good and faithful President (Vice-President) should.

I swear (solemnly, sincerely and truly declare and affirm) obedience to the Constitution and all other legal regulations.

I swear (solemnly, sincerely and truly declare and affirm) allegiance to the Republic of Suriname.

So help me God Almighty (I so solemnly declare and affirm!)."

Article 94

The President and the Vice-President shall not hold other political and administrative offices in the civil service, shall not fulfil functions in trade and commerce or labour unions and shall not practice any other professions.

Article 95

The President and the Vice-President may, neither directly nor indirectly, participate in any enterprise, nor act as guarantor thereof, which is based on an agreement for profit or gain made with the State or with a part thereof. They may hold no money claims, except for government bonds, against the State.

Article 96

The President and the Vice-President may, neither directly nor indirectly, participate in any concession or enterprise of any nature established or operating in Suriname.

Article 97

1. The President may not be married, related by blood or by marriage up to the second degree, to the Vice-President, the Ministers, the Under-Ministers, the members of the Council of State and the chairman, the deputy chairman and the members of the institution which is in charge of the supervision and control of the expenditure of state finances.

2. He who, after his election, enters into a relationship by marriage of a forbidden degree, shall only remain in office after having received legal consent.

Article 98

The office of President shall be exercised by the Vice-President:

- a. in case the President is declared unfit to exercise his powers;
- b. in case the President has laid down the exercise of his powers temporarily;
- c. as long as there is no President or if he is absent;

- d. if, in the case described in Article 140, proceedings against the President have been initiated.

Second Section

POWERS OF THE PRESIDENT

Article 99

Executive power is vested in the President.

Article 100

The President shall have the supreme command over the armed forces.

Article 101

The President shall be in charge of foreign relations and shall promote the development of the international legal order.

Article 102

1. The President shall not declare the Republic of Suriname to be at war, in threat of war or in state of siege, unless he has the prior approval of the National Assembly.

This approval shall not be required if consultation with the National Assembly, as a result of force majeure, is not possible.

2. The President shall not declare war, the threat of war or state of siege between the State of Suriname and another power to be terminated, unless he has the prior approval of the National Assembly. This approval shall not be required if consultation with the National Assembly, as a result of force majeure, is not possible.

3. To maintain external and domestic security, in case of war, threat of war or in case of a serious threat to or disturbance of the domestic order or peace, which could result in substantial damage to the interests of the State, the President can declare the state of emergency in any part of Suriname, subject to the prior approval of the National Assembly.

4. The President shall not declare the state of emergency to be terminated, unless he has the prior approval of the National Assembly. This

approval shall not be required if consultation with the National Assembly, as a result of force majeure, is not possible.

Article 103

Agreements with other powers and international organisations shall be concluded by or with the authority of the President, and insofar as the agreement requires, shall be ratified by the President. The National Assembly shall be notified of such agreements as soon as possible; they shall not be ratified and they shall not come into effect until they have received the approval of the National Assembly.

Article 104

1. Approval shall be given either explicitly or implicitly. Explicit approval shall be given by law. Implicit approval shall be given if, within thirty days after the agreement has been submitted for that purpose to the National Assembly, no statement has been made by the National Assembly, expressing the wish that the agreement shall be subject to its explicit approval.

2. The law determines the cases in which no approval is required.

Article 105

The provisions of the agreements mentioned in Article 103, which may be directly binding on anyone, shall become effective upon promulgation.

Article 106

Legal regulations in force in the Republic of Suriname shall not apply if such application should be incompatible with provisions of agreements which are directly binding on anyone and which were concluded either before or after the enactment of the regulations.

Article 107

The law shall regulate the promulgation of agreements and decisions of international organisations.

Article 108

At the proposal of the Government, the President shall bestow honorary orders of the Republic of Suriname upon people who qualify

therefor.

Article 109

The President shall have the right to grant pardons for penalties adjudged by court sentence. He shall exercise this right after having heard the opinion of the judge who had pronounced the legal sentence.

POWERS WITH REGARD TO OTHER INSTITUTIONS

Article 110

In addition, the President has the power:

- a. to constitute the Council of Ministers, after consultations, taking the results of the elections into account;
- b. to direct the preparatory work for the government programme;
- c. to direct the activities of the Council of State;
- d. if required, to convene and to lead the meetings of the Council of Ministers;
- e. to appoint and remove Ministers from office;
- f. to ratify approved bills and proposed state decrees;
- g. to suspend decisions of the Council of Ministers, and of Ministers;
- h. to appoint, suspend and discharge any person to whom a public service is entrusted, inasmuch as appointing, suspending, or discharging has not been assigned to another state institution.

POWERS IN INTERNATIONAL RELATIONS

Article 111

In international relations the President has the power:

- a. to appoint, discharge, replace and suspend diplomatic representatives of the Republic of Suriname;
- b. to accredit or refuse accreditation of diplomatic representatives of other states;
- c. to accept letters of credence from foreign diplomatic representatives.

Article 112

All other matters relating to the President shall be regulated by law.

CHAPTER XIII

THE COUNCIL OF STATE, THE GOVERNMENT, THE COUNCIL OF MINISTERS
AND THE MEMBERS OF THE COUNCIL OF MINISTERS

First Section

THE COUNCIL OF STATE

Article 113

There shall be a Council of State whose composition and powers shall be regulated by law. The President is Chairman of the Council of State.

Article 114

On assuming office the members of the Council of State shall take the following oath or affirmation before the President:

"I swear (solemnly, sincerely and truly declare and affirm) that, in order to be appointed member of the Council of State, I have not given or promised, nor will I give or promise, directly or indirectly, under any name or pretext whatsoever, anything to anyone whomsoever.

I swear (solemnly, sincerely and truly declare and affirm) that in order to do or refrain from doing anything whatsoever in this office, I will not accept any promises or presents, directly or indirectly, from anyone whomsoever.

I swear (solemnly, sincerely and truly declare and affirm) that I will perform my duties and that I will not make public the things of which I have taken cognizance through my appointment as member of the Council of State, and which are entrusted to me in confidence, or of which I should understand the confidential character, except to those persons to whom I am obligated by law or ex officio to communicate them.

I swear (solemnly, sincerely and truly declare and affirm) obedience to the Constitution and all other legal regulations.

I swear (solemnly, sincerely and truly declare and affirm) allegiance to the Republic of Suriname.

So help me, God Almighty (I so solemnly declare and affirm!)."

POWERS OF THE COUNCIL OF STATE

Article 115

Without prejudice to what is regulated by law the Council of State has the following powers:

- a. to advise the President in the execution of his office of Head of State and Head of Government;
 - b. to advise the Government on general policy matters and on the content of bills, as well as agreements under international law for which the consent of the National Assembly is required;
 - c. to advise the Government on proposed state decrees;
 - d. to pass its own standing orders, which shall be determined by state decree.
2. REPEALED.

Second Section

THE GOVERNMENT

Article 116

1. The President, the Vice-President and the Council of Ministers together form the Government. The Vice-President is in charge of the day-to-day management of the Council of Ministers, and is as such answerable to the President.
2. The Government is answerable to the National Assembly.

Article 117

The Government shall draft state decrees. Provisions which are enforceable by penalties shall not be made by such state decree unless it is pursuant to the law. The law regulates the penalties to be imposed.

Article 118

The manner of promulgation of laws and state decrees, and the moment at which they become effective shall be regulated by law.

Third Section

THE COUNCIL OF MINISTERS

Article 119

1. The Council of Ministers is the highest executive and administrative institution of Government.
2. The Ministers together form the Council of Ministers, which is chaired by the Vice-President.
3. The Council of Ministers has at least one deputy chairman.

Article 120

The meetings of the Council of Ministers may be attended by specialized and/or technical experts at the invitation of the chairman.

Article 121

The Council of Ministers is obligated to assist in providing information to the Council of State for the execution of its task.

TASKS OF THE COUNCIL OF MINISTERS

Article 122

Subject to the provisions laid down in the standing orders for the Council, the tasks of the Council of Ministers are:

- a. to execute the policy determined by the Government;
- b. to prepare legislative acts and administrative regulations;
- c. to supervise the correct execution of decrees if their execution is entrusted to it;
- d. to prepare and to execute an efficient policy;
- e. to give direction to administrative organs and to supervise administrative functions of local institutions through the Ministries

involved.

TASKS OF THE MEMBERS OF THE COUNCIL OF MINISTERS

Article 123

1. The members of the Council of Ministers shall be charged with leading their respective Ministries and with the tasks assigned to them by the standing orders of the Council of Ministers and by other rules and regulations.
2. The Ministers are answerable to the President.

Fourth Section

UNDER-MINISTERS

Article 124

The President may appoint to a Ministry one or more Under-Ministers who, in cases in which the Minister deems it necessary, may replace the Minister with due regard to his instructions.

The Under-Minister is on that account answerable to the President, without prejudice to the responsibility of the Minister.

Fifth Section

OTHER PROVISIONS

Article 125

On assuming office, the Ministers and Under-Ministers shall take the following oath or make the following promise before the President:

"I swear (solemnly, sincerely and truly declare and affirm) that, in order to be appointed Minister, I have not given or promised, nor will I give or promise, directly or indirectly, under any name or pretext whatsoever, anything to anyone whomsoever.

I swear (solemnly, sincerely and truly declare and affirm) that in order to do or to refrain from doing anything whatsoever in this office, I will not

accept any promises or presents, directly or indirectly, from anyone whomsoever.

I swear (solemnly, sincerely and truly declare and affirm) to conscientiously fulfil all the obligations pertaining to the office of Minister.

I swear (solemnly, sincerely and truly declare and affirm) that I will promote the well-being of Suriname to the best of my abilities.

I swear (solemnly, sincerely and truly declare and affirm) obedience to the Constitution and all other legal regulations.

I swear (solemnly, sincerely and truly declare and affirm) allegiance to the Republic of Suriname.

So help me God Almighty (I so solemnly declare and affirm!)."

Article 126

The law regulates the financial provisions for the Ministers, the Under-Ministers, the former Ministers and former Under-Ministers, and of their surviving relatives.

Article 127

The standing orders for the Council of Ministers shall be determined by state decree.

CHAPTER XIV

THE NATIONAL SECURITY COUNCIL

First Section

GENERAL PROVISIONS

Article 128

There shall be a National Security Council, which can only commence its activities after the duly authorized institutions have decided to declare the state of war, threat of war or the state of siege in case of military aggression, and the state of civil and military emergency.

Second Section

COMPOSITION OF THE SECURITY COUNCIL

Article 129

The Security Council shall consist of:

- a. the President, as chairman;
- b. the Vice-President, as deputy chairman;
- c. the Minister in charge of legal affairs;
- d. the Minister in charge of defense;
- e. another member of the Council of Ministers;
- f. the Commander of the National Army;
- g. the Chief of Police of the Police Corps of Suriname.

Article 130

1. The Security Council shall protect the sovereignty and the domestic security of the Republic of Suriname and is endowed with special powers in respect of the external and domestic security of the Republic of Suriname in the cases mentioned in Article 128.

2. Further regulations concerning the exercising of powers by the Security Council and the declaration of the state of emergency, as mentioned in Article 102, paragraph 3, shall be determined by law.

CHAPTER XV

THE LEGAL SYSTEM

First Section

GENERAL PROVISIONS

Article 131

1. In Suriname justice shall be administered in the name of the Republic.
2. No act shall be punishable other than by virtue of a previously determined legal regulation.

3. Any interference in the investigation or prosecution of cases, and those pending in court, shall be forbidden.

Article 132

Civil and commercial law, civil and military penal law and procedure shall be regulated by law in general codes, without prejudice to the power of the legislature to regulate special subjects by separate laws.

Second Section

THE JUDICIARY

Article 133

1. The Judiciary shall consist of the President and the Vice-President of the High Court of Justice, the members and the deputy members of the High Court of Justice, the Procurator General of the High Court of Justice, and other members of the Public Prosecutions Department, and of other judicial officers designated by law.

2. The law may provide that persons who do not belong to the Judiciary shall also take part in the activities of the Judiciary.

3. The President, the Vice-President, the members and the deputy members of the High Court of Justice constitute the Judiciary, which is charged with the administration of justice.

Article 134

1. The cognizance and adjudication of all lawsuits is exclusively entrusted to the Judiciary, unless the law appoints another judge.

2. The imposition of penalties and measures provided by law is also entrusted to the Judiciary which is charged with the administration of justice, subject to exceptions made by law, which in respect of detention may only relate to military penal and disciplinary law.

Article 135

1. The decision of lawsuits not arising from civil law relations may be

referred by law to administrative judges. The law shall regulate the procedure and the consequences of the decisions.

2. In the cases indicated in the previous paragraph the administrative appeal can also be made available. This appeal shall only exclude the competence of the Judiciary insofar as this stems from the law.

Article 136

1. All judicial decisions shall state the grounds upon which they are decided, and in penal cases they shall also indicate the articles of the legal regulations upon which the conviction is based.

2. The court sessions shall be public, subject to exceptions determined by law.

3. The provisions of the first paragraph may be deviated from in case of punishable acts designated by law for which detention is not provided as a sanction.

4. The judicial decision shall be pronounced in public.

Article 137

Insofar as the judge considers the application of a provision of a law in the particular case brought before him to be contrary to one or more constitutional rights mentioned in Chapter V, the application in that case shall be declared unlawful by him.

Third Section

COMPOSITION OF THE JUDICIARY

Article 138

The law shall determine the organisation, the composition and the jurisdiction of the Judiciary.

Article 139

The supreme body of the Judiciary entrusted with the administration of

justice is called the High Court of Justice of Suriname. The High Court shall supervise the regular course and settlement of all court proceedings.

Article 140

Those who hold political office shall be liable to trial before the High Court of Justice, even after their retirement, for punishable acts committed in the discharge of their official duties.

Proceedings are initiated against them by the Procurator General after they have been indicted by the National Assembly in a manner to be laid down by law. It can be determined by law that members of the High Councils of State and other officials shall be liable to trial for punishable acts committed in the exercise of their functions before the High Court.

Article 141

1. To be appointed as a member of the Judiciary entrusted with the administration of justice or as Procurator General with the High Court of Justice, one must have reached the age of thirty years and have Surinamese nationality, and be domiciled with main or actual residence in Suriname.

2. The members of the Judiciary entrusted with the administration of justice and the Procurator General with the High Court of Justice shall be appointed by the Government, upon the advice of the High Court of Justice. The appointment of the President, the Vice-President, the members of the High Court of Justice and the Procurator General shall be for life.

3. The law determines the other requirements for their appointment as well as the financial allowance for them and their surviving relatives.

Article 142

1. The members of the Judiciary entrusted with the administration of justice and the Procurator General of the High Court of Justice are discharged by the Government:

- at their own request;
- upon reaching the age of retirement.

2. The persons mentioned in the first paragraph may be discharged by the Government at the proposal of the High Court of Justice:

- if they have been placed under legal restraint;
- in case of proven continuous mental disorder;
- if they have been sentenced to an irrevocable detention for having committed a punishable act;
- if they have been declared bankrupt;

- when they have obtained a moratorium or are under court custody for their civil debts;
- on the grounds of serious misconduct or immorality or in case of proven continuous negligence in the fulfilment of their office.

Article 143

If the President of the High Court of Justice is of the opinion that one of the reasons for discharge as mentioned in Article 142, paragraph 2 is present, he can suspend the person in question and he can also provide for a temporary replacement in that office.

The law shall regulate the consequences of the suspension and discharge from office.

Fourth Section

CONSTITUTIONAL COURT

Article 144

1. There shall be a Constitutional Court which is an independent body composed of a President, Vice-President and three members, who - as well as the three deputy members - shall be appointed for a period of five years at the recommendation of the National Assembly.

2. The tasks of the Constitutional Court shall be:

- a. to verify the purport of Acts or parts thereof against the Constitution, and against applicable agreements concluded with other states and with international organisations;
- b. to assess the consistency of decisions of government institutions with one or more of the constitutional rights mentioned in Chapter V.

3. In case the Constitutional Court decides that a contradiction exists with one or more provisions of the Constitution or an agreement as referred to in paragraph 2 sub a, the Act or parts thereof, or those decisions of the government institutions shall not be considered binding.

4. Further rules and regulations concerning the composition, the organisation and procedures of the Court, as well as the legal consequences of the decisions of the Constitutional Court, shall be determined by law.

Fifth Section

THE PUBLIC PROSECUTIONS DEPARTMENT

Article 145

The Public Prosecutions Department is, with the exclusion of all other institutions, responsible for the investigation and is charged with the prosecution of all punishable acts.

The law can deviate from this principle for criminal proceedings involving the military.

Article 146

1. The Public Prosecutions for the High Court of Justice shall be exercised by or on behalf of the Procurator General.

2. The Procurator General represents the Republic of Suriname in court. He is the head of the Public Prosecutions Department and is at the same time in charge of the court police. He has the powers to give the officers who are entrusted with police tasks instructions for the prevention, detection and investigation of punishable acts, if he deems that necessary in the interest of good justice.

Article 147

The Procurator General supervises the correct execution of the tasks of the Police. He has the power to make any proposal that he considers practical in that regard.

Article 148

The Government determines the general prosecution policy. The Government may in specific instances give the Procurator General orders with regard to prosecution in the interest of state security.

CHAPTER XVI

SUPERVISION OF THE EXPENDITURE OF STATE FINANCES

Article 149

1. An institution shall be established by law which shall have the task to supervise the expenditure of state finances, as well as to control the

management of government funds in the broadest sense.

2. The justification as well as the effectiveness of the expenditure and management of the state finances shall be supervised and controlled.

Article 150

The chairman, the deputy chairman, the members and the deputy members shall be appointed by the President for a period of five years at the recommendation of the National Assembly.

Article 151

The institution intended in Article 149 shall periodically, but at least once a year, report on the supervision it exercises to the National Assembly, the Council of State and the Government. The report shall be made public.

Article 152

Other matters pertaining to the composition, the organisation and the powers of this institution shall be regulated by law.

CHAPTER XVII

ADVISORY COUNCILS

Article 153

One or more advisory councils for the benefit of the Government shall be created by law, which law will also contain the provisions on their appointment, composition, procedures and jurisdiction.

CHAPTER XVIII

THE FINANCIAL AND MONETARY SYSTEM

Article 154

1. The structure of the financial system shall be regulated by law in such a manner that by economizing and by correct allocation of the necessary

financial means, investments in the productive sector shall be promoted.

2. The law shall lay down rules concerning the monetary system and the Central Bank.

3. The law shall lay down rules concerning the banking and insurance business.

4. Conditions for the manner in which the State obtains loans shall be regulated by law.

CHAPTER XIX

TAXES

Article 155

1. Taxes are levied pursuant to the law, which regulates the rate of taxation, tariffs, exemptions and guarantees for taxpayers.

2. No privilege with regard to taxes shall be permitted other than pursuant to the law.

THE BUDGET

Article 156

1. The manner in which the Annual Budget is prepared, drafted and executed, and the period for which it is valid shall be regulated by law.

2. All expenditure of the State and the means for the defrayal thereof shall be estimated in the Budget.

3. Annually, at the latest on the first working day of October, the Budget shall be submitted to the National Assembly in one or more bills, in accordance with the law and with the government development plan.

On the occasion of the submission of the Budget Proposals by the Government to the National Assembly, the President will address the National Assembly in a special session.

4.a. The Budget shall become operative on the first day of January of the fiscal year to which it relates.

b. It shall be considered to have become operative from that day on,

notwithstanding its promulgation at a later time.

As long as it has not become operative, the Budget of the fiscal year preceding the year in question shall serve as the basis for the administration.

- 5.a. The closing of the accounts shall be decided by law for each fiscal year separately.
- b. The justification of revenue and expenditure of the State is done before the National Assembly according to instructions by law, and together with the submission of the accounts reviewed by the independent organ to be established by law.

CHAPTER XX

PUBLIC ADMINISTRATION

Article 157

1. The structure of the agencies of public administration shall be such that they can bring their services close to the people in order to assure the participation of those concerned in the actual activities, and in order to avoid undue bureaucracy.
2. Without diminishing the combined effectiveness, or the powers of the Government to give guidance and to exercise supervision, suitable forms of administrative decentralization shall be established by law, taking efficiency into account.
3. Administrative procedures shall be established by law, which will ensure the rationality of the methods used by the ministries, as well as the participation of the citizens in the process of decision-making or in the debates concerning them.

Article 158

1. Everyone shall have the right to be informed by the agencies of public administration on the progress in cases under consideration in which he has a direct interest, and on final decisions taken with regard to him.
2. Interested parties shall have the right to submit to the court for reassessment any final and enforceable act by agencies of public administration, which is believed to be unlawful.
3. The right of the interested party to hear and be heard shall be

guaranteed in disciplinary procedures.

CHAPTER XXI

REGIONAL ADMINISTRATION

First Section

GENERAL PROVISIONS

Article 159

The democratic order of the Republic of Suriname comprises lower institutions of government on the regional level, whose function, organisation, competence and procedures shall be regulated by law in accordance with the principles of participatory democracy and decentralization of administration and legislation.

Second Section

DEMARICATION OF THE TERRITORY

Article 160

1. The demarcation of the Territory into districts and of districts into administrative jurisdictions shall be regulated by law. The following criteria shall apply for the demarcation in districts and administrative jurisdictions:

- concentration of the population;
- potential for development;
- feasibility of administering the territory;
- availability of infrastructure;
- location of the centre of administration.

2. The boundaries of the districts are the boundaries indicated in the decree *Districtenindeling 1983* (S.B. 1983 Nr. 24 - Demarcation of the districts 1983, Bulletin of Acts and Decrees of the Republic of Suriname No. 24, 1983).

Third Section

REGIONAL REPRESENTATION

Article 161

1. There are two representative bodies at the regional level: the District Councils and the Local Councils.
2. The District Council is the supreme political and administrative institution of the district.
3. The Local Council is the supreme political and administrative institution of the administrative jurisdiction.

DISTRICT COUNCILS

Article 162

The composition of the District Councils shall be established after general and free elections by secret ballot in the administrative jurisdictions of the district concerned.

The seats on the District Council are given to the representative political organisations with seats on the Local Councils of the district concerned, in proportion to the total number of seats they acquired on the Local Councils.

LOCAL COUNCILS

Article 163

The composition of the Local Councils shall be established after general and free elections by secret ballot within the administrative jurisdiction. The order of election of the representatives is determined by the order of personal votes received. All available seats shall be allocated.

Without prejudice to other legal requirements with regard to eligibility in representative bodies, the candidates for a Local Council or a District Council must have their main and actual residence in the district or administrative jurisdiction concerned.

Fourth Section

JURISDICTION

Article 164

The regional representative bodies and the regional administrative organs participate in the preparation, creation and the execution of the plans for districts and administrative jurisdictions. Other specific tasks shall be regulated by law.

Article 165

The financial allowances for the districts and administrative jurisdictions shall be determined by law; they aim at, inter alia, the promotion of a reasonable and equitable division of funds in the districts.

Article 166

The Government exercises supervision over the districts, in the manner and in the cases provided by law.

Fifth Section

PROCEDURES

Article 167

The District Councils and Local Councils shall express the will and aspirations of the inhabitants. The District Councils shall inform the National Assembly thereof, whereas the Local Councils shall inform the District Councils.

The District Councils shall be obligated to inform the Local Councils on measures taken or opinions stated, which concern the Local Councils. This obligation shall also apply to Local Councils in relation to the District Council.

Article 168

1. The elected district representatives shall have the opportunity to participate in the formulation and the creation of the national and regional development policy.

2. The District Council shall have the power to delegate its representatives to participate in the council for national development.

3. The District Councils shall have the power to forward proposals concerning their own district for further treatment to the ministerial departments concerned.

CHAPTER XXII

REGIONAL LEGISLATION

Article 169

1. The provision of regulations and the administration of the affairs of the district shall be left to the District Council.

2. The District Council shall draft the district ordinances which it considers necessary in the interest of the district, subject to the restrictions of the Constitution and the legal regulations and administrative measures of the Government. It shall be indicated by law with regard to which subjects the District Councils shall have legislative powers.

Article 170

1. The National Assembly, the Government, the Council of State and the District Commissioner involved shall be informed of the district ordinances before they become effective.

2. The population of the district shall be informed of the contents of the district ordinances through publication in local newspapers and in the Official Gazette of the Republic of Suriname, and ordinances shall be available for perusal at the office of the District Commissioner.

Article 171

After the publication as mentioned in Article 170, everyone shall have the opportunity to submit objections against the district ordinances to the National Assembly.

Article 172

1. If a district ordinance is in contravention of the Constitution, the government programme or the existing legal regulations, the National Assembly may annul it.

2. The District Council shall have the power to commence the procedure of making the district ordinance effective and of promulgating it, in a manner to be decided by law, if the National Assembly has notified the District Council in writing within six weeks after the district ordinance was submitted to it, that it has no objections.

Article 173

1. The decisions taken by the District Council which do not contain general rules, shall stand under strict supervision exercised by the Government. If those measures are considered to be in contravention of the government programme or the national interest, the President shall suspend them.

2. If, after suspension, the District Council is of the opinion that there is no contradiction with the government programme or the national interest, the dispute is submitted to the National Assembly, whose decision shall be binding.

CHAPTER XXIII

REGIONAL AUTHORITIES

Article 174

1. Every district shall have a district administration. The district administration is the executive organ of the district.

2. The district administration consists of the District Commissioner and the representatives of the various ministerial departments in the district.

Article 175

The district administration is charged with the daily administration of the district.

Article 176

REPEALED

CHAPTER XXIV

ARMY AND POLICE

First Section

THE NATIONAL ARMY

Article 177

1. The National Army shall have as its task the defence of the sovereignty and the territorial integrity of Suriname against foreign, military, armed aggression.
2. Without prejudice to the provisions of the previous paragraph, the army can be charged with special tasks to be defined by law.
3. The army shall carry out its task under the responsibility of and in subordination to the competent authority and in accordance with the prevailing legislation.
4. The organisation of the National Army and the legal status of the servicemen shall be defined by law.

Second Section

THE POLICE CORPS OF SURINAME

Article 178

1. The police shall have as task:
 - a. to maintain public order and domestic security, to prevent violations thereof, and to protect persons and goods;
 - b. to investigate punishable acts and to enforce the observance of regulations, the breach of which shall be punishable by law.
2. Without prejudice to the provisions of the previous paragraph, the police can be charged with special tasks to be defined by law.
3. The police corps shall carry out its task under the responsibility of and in subordination to the competent authority and in accordance with the prevailing legislation.
4. The organisation of the Police Corps of Suriname and the legal status of the police officers shall be defined by law.

Article 179

1. Servicemen or police officers who become a member of one of the people's representative bodies shall be suspended from duty by law.
2. Rules with regard to making views or feelings public, or to using the right of association, assembly and demonstration by servicemen and police officers shall be defined by law.

CHAPTER XXV

DEFENCE OF THE STATE

Article 180

1. The defence policy is vested in the Government.
2. The protection of the State is a fundamental duty of every citizen.
3. Military service can be made compulsory for a certain period, under conditions to be regulated by law.
4. Civil service can be made compulsory under conditions to be regulated by law, as a substitute or complement to military service.
5. Persons who are found to be unsuited for military service or who are conscientious objectors can, under conditions to be laid down by law, perform unarmed military or civil service, suitable to their situation.
6. Without prejudice to further sanctions to be determined by law, a citizen who intentionally fails to perform military or civil service when given the opportunity to do so, shall not fulfil or maintain a function in government or public service.
7. A citizen who performs military or civil service shall not be deemed to damage his legal position, secondary labour conditions or further career development.
8. REPEALED.

CHAPTER XXVI

THE PEOPLE'S ASSEMBLY

Article 181

1. The People's Assembly shall consist of:
 - the National Assembly;
 - the District Councils;
 - the Local Councils.

2. The People's Assembly shall convene for the third vote:
 - a. in case of amendments to the Constitution with regard to the powers and tasks of the representatives in the various representative bodies, for which the approval is required of at least two-thirds of the number of valid votes cast if that majority cannot be obtained after two rounds of voting in the National Assembly.

 - b. for the election of the President and the Vice-President, in case none of the candidates has obtained the constitutional majority after two rounds of voting in the National Assembly.

 - c. in case a decision shall be taken by law by absolute majority with regard to the possible discharge of the President, if the National Assembly does not reach consensus on that matter;

 - d. REPEALED

3. Decisions in the People's Assembly shall be taken by ordinary majority of the votes cast, if more than half of the number of functioning members of the bodies referred to in paragraph 1, are present.

CHAPTER XXVII

TRANSITIONAL AND FINAL PROVISIONS

First Section

FORMER CONSTITUTIONAL LAW

Article 182

The provisions of the Constitution of 25 November 1975, of which the application was suspended on 13 August 1980, shall cease to exist upon the coming into force of this Constitution.

Second Section

FORMER COMMON LAW

Article 183

The legal regulations, as they existed before the effective date of this Constitution, including the acts and decrees promulgated after 25 February 1980, shall remain in force until they shall be replaced by other legal regulations according to this Constitution on the condition that, insofar as they may be in contravention of the Constitution, they shall be harmonized with this Constitution no later than by the end of the first session of the National Assembly, in default whereof they shall lose their force of law.

CHAPTER XXVIII

REPEALED

Third section

COMING INTO FORCE OF INSTITUTIONS OF GOVERNMENT

Article 184

1. The National Assembly shall commence its activities within 30 days after the election results.
2. The National Assembly shall elect the President and the Vice-President of the Republic of Suriname within 30 days after the commencement of the session of the National Assembly.

Article 185

REPEALED

Fourth Section

RATIFICATION, PROMULGATION AND EFFECTIVE DATE

Article 186

1. The date of the Constitution of the Republic of Suriname shall be the date of the plebiscite by which the people of Suriname approved it.
2. The decision by which the Constitution shall be approved by the people of Suriname shall be ratified by the President and shall be formally promulgated no later than 30 days after the approval thereof.
3. Thus, the Constitution shall become effective on 30 October 1987.