Governance in Suriname

AN UPDATE

MAY 2010
DRAFT OUTLINE
Consultant Team
PART ONE: The 2001 Report

INTRODUCTION

This document provides a summary of the first draft of a report on governance in Suriname commissioned by the Inter-American Development Bank and prepared by a consultant team selected by The Graduate School for Political Management at George Washington University in Washington, D. C. The report is intended to update a more extensive survey and analysis of governance in Suriname prepared for IDB in the year 2001. It is expected that IDB will review this draft, note points of emphasis and material not necessary in the final document, and return it to the consultant team for preparation of a more extensive final draft.

Although relatively small in size, Suriname is a highly complex nation. Any analysis of the political, economic, and social situation of the country must take into account a host of factors bearing on its past problems, its current condition, and opportunities for improvement in the future.

These factors include, but are not limited to:

1. Weaknesses in the Constitutional and legal structure of the nation;
2. Weaknesses in the National Assembly;
3. Poor performance in the Executive Branch of government;
4. Problems in the system of Justice;
5. A variety of additional difficulties in civil society bearing upon governance

Each of these factors would require a book-length document to cover points relevant to a comprehensive study of the nation. Thus, the question arises, the degree to which
each of these factors is important in assisting the Inter-American Development Bank to reach the conclusions which have occasioned this study, significantly less extensive than the original 2001 study.

As a place to begin to answer this question, it seems sensible to review the IADB study produced in the year 2001 in order to obtain at least a checklist of factors considered important at that time. Surely a basic effort of the present study would attempt to obtain an update on the (1) current relevance, (2) success, or (3) failure of the observations and recommendations contained within that study. This document attempts to present such a checklist before reviewing the current situation in the country.

In addition, the older document suggests the need for review of certain written materials, if available, and meetings with certain public or private officials, if available. These suggestions are printed in red and are subject to review and change by the IADB, interviewee availability, and members of the research team.

It must be noted that the team has had access to few members of the Executive and Judicial branches of government to date, and to no significant political party leaders or members of the Legislative branch of government. The presence of a national election two weeks from the date of this draft clearly has contributed to Surinamese reluctance to participate in the project. It is expected that post-electoral research will resolve this problem.

Since the 2010 review is based, at least in part, on the 2001 document, it would be well to offer at least some observations about the earlier report before beginning the body of the report. Clearly, the 2001 report is the result of more extended research and analysis than can be expected in the 2010 update. It offers an excellent analysis of the Suriname of that date and provides useful guidelines for measurement of future activity in the country.
That said, however, there are some points worthy of criticism. Indeed, officials from the Planning Ministry in Paramaribo indicated recently to IADB in-county staff that the 2001 report was privately rejected by the government and that difficulties in arranging interviews for the present study reflected this government opinion. It is also fair to notice that the team arrived in Paramaribo in the middle of the electoral campaign and therefore, many of the relevant actors were extremely busy with their respective campaigns.

In initial briefings on the project, IADB staff indicated to the study team that the 2001 report had been well-received and that, indeed, it was used as a textbook on the situation in Suriname. That the IADB staff should have been so poorly informed over so long a period of time seems unlikely; but deeper investigation into the point certainly seems warranted.

Acceptance or rejection of the report by the Surinamese government aside, it is clear that the 2001 report is based on generally accepted principles within Western democracies. Unfortunately, perhaps, Suriname is not wholly definable within that group of nations. Indeed, its majority population comes from nations with distinctly different cultural mindsets about the form and role of government.

One of the more important differences between Suriname and most Western democracies is that it operates on two governmental systems: (1) the traditional, hierarchical, top-down, model used extensively in Europe, the United States, and some modern Asian, African, and Latin American nations, and (2) also a traditional, but communal, bottom-up, model more common in certain African and Amerindian cultures.

Suriname has developed a unique application of the top down model, successfully integrating, at an operational level, large population segments culturally identifiable as Indian, Indonesian, African, Dutch, Chinese, and other widely different racial and religious groupings. This has been done by agreement among the groups to “split the pie.” Each group maintains its cultural independence and customs, even language, but all participate in the overall government and benefits flowing from that government.
Two groups, however, are awakening to a general sense of reduced disenfranchisement from government and society at all levels – political, economic, social and cultural – participation in Surinamese society and government, and reduced benefits from government: Surinamese of African descent, called maroons, and Surinamese of Amerindian descent, sometimes called “indigenous peoples” (given their original occupation of the territory now incorporated as Suriname.)

Indeed, in the 1980s the maroons conducted a temporarily successful military action against the central government, but were unable to sustain political control and the nation reverted to democratic hands. The matter is about to enter national debate again, and it is not clear that the Surinamese government, nor international supporters of that government, are well prepared to deal with the question.

On one side, maroons have won certain land rights in a case before the International Court Inter-American Court of Human Rights. How, indeed, whether, the Surinamese government will define and implement these rights, especially in respect to minerals, is not yet clear.

On the other side, the Surinamese government, supported by international funding, is beginning to install local government. But the government to be installed is built on the Western democratic model, directly challenging the communal model utilized by maroon and Amerindian societies.

While maroon and Amerindian societies represent a minority of the population, the space which they occupy, using communal government practices, makes up a significant majority of the national geography. To make matters more complicated, much of the land now governed with some combination of communal and hierarchical practices contains significant mineral reserves, principally bauxite and gold. Some of the gold mining areas under maroon or Amerindian practical control allow and encourage mining by pirate groups of Brazilians who are illegal immigrants and who, not surprisingly, do not follow responsible business practices, environmental or otherwise, follow no ecological guidelines in their work.
As if all this were not complex enough, there is a regional tendency in Latin America reducing the power of traditional oligarchies and opening governmental participation to parts of the society at lower socioeconomic levels long excluded from the governmental process. Governments responding to this movement are in large part activist in nature and surreptitious financial and logistical support from those governments to maroon and Amerindian groups in Suriname are not to be discounted.

These facts sum to an important national impact, especially when one considers that Suriname is considering the possibility of an agreement with international groups which would prohibit mining in many areas now active in order to protect the local ecology, a northern part of the Amazon rain forest. The international groups would pay Suriname a significant amount of money to suspend mining in protected areas, but if the suspension cannot be enforced, the plan becomes questionable, at best. Moreover, it is unclear whether maroon or Amerindian groups would benefit from these payments to the central government, whereas they might otherwise benefit from mining projects – whether legal or illegal.

Thus, the importance of conflict resolution in the matter of governmental form should be of great weight in any discussion about governance in Suriname. The tendency to dismiss the need for such resolution is sometimes based on an overestimation of the power of “the rule of law” and Suriname’s acceptance of a constitutional and legal system similar to that in use by other democracies. The constitution and legal system certainly provide useful government guidance in certain areas of the country, notably in Paramaribo and to a lesser degree along the coast. Their practical application in the vast interior of the nation, however, is open to great question; hence the need to resolve this complex and delicate question.

The 2001 report was not extensive on this point, perhaps because it appeared at that time that the rule of law was firmly installed. More recent developments, however, noted above, bring that conclusion into question.
Keeping this generic problem of two governmental forms in place, let us move to a closer examination of the 2001 report and what we must learn from it in order to prepare an adequate update.

**GENERAL Observations and Recommendations of the IADB**

**Suriname Study of 2001**

(Relevant quotes from the earlier study are boxed and presented in ITALIC typeface. Written material and meeting needs are presented in RED typeface.)

**Preface**

*This study is part of Regional Operations Department 3's economic and sector work program on Suriname. The series of studies produced under this program are used as inputs for the preparation of the Bank's country strategy papers for Suriname and guide the Bank's dialogue with the Government of Suriname regarding the areas and sectors of possible Bank support.*

*Historically, the IDB has provided major loans and technical cooperation funding for institutional strengthening and state reform, particularly for the executive branch of government. In the 1980s much of this support was focused on strengthening tax administration systems. In recent years, it has become increasingly apparent that development progress and good governance — in a broad sense — are intimately related. Recognition of this link led the IDB's member countries to give the Bank a mandate to support borrowing member countries' efforts to modernize public sectors, and strengthen public institutions, judicial systems and national parliaments (Report of the Eighth General Increase in the Resources of the IDB, 1994).*
PROBLEM IDENTIFIED IN 2001 STUDY: weaknesses in the Constitutional and legal structure of the nation.

1. The Constitution implicitly assumes that the state will be the primary driving force of development and that the state will achieve its objectives through development plans.
2. The Constitution places extensive social obligations on the state but no consideration was given to how costly these obligations would be and how the state would be expected to provide them.
3. The Constitution places no restrictions on fiscal management by the executive or legislature in terms of policy choices or outcomes.

Needs

1. A copy of the current Constitution. (In hand)
2. A meeting with a Constitutional scholar or expert who can comment upon the current situation, both in regard to the problems noted above and in regard to any additional problems or opportunities that have developed since the last report. (Not yet scheduled.)

PROBLEM IDENTIFIED IN 2001 STUDY: weaknesses in the National Assembly.

1. The National Assembly is broadly representative, although small districts have a disproportionate weight.
2. The National Assembly’s performance has been weak, particularly from 1996 to 2000.
3. The Assembly’s legal throughput has declined to very low levels.
4. The National Assembly has not been able to hold the executive accountable adequately.

5. As a result of the Assembly’s weak performance, public confidence in the organization has fallen to very low levels. A poll in 1999 showed that the National Assembly was the least respected branch of government

Needs

1. Current proportionate weight of Districts. (Requested, not in hand.)

2. Interview with a political person or persons qualified to offer an independent view on the performance of the Assembly. (Requested, not yet scheduled.)

3. A review of the Assembly’s legal throughput over the past ten years. (To be developed in the interview process, above, when it occurs.)

4. Interview with a political person or persons qualified to offer an independent view on the relationship between the Assembly and the Executive Branch. (Requested, not yet scheduled.)

5. Interview with leader or member of the majority coalition in the Assembly. (Requested, not yet scheduled.)

6. Interview with leader or member of the minority coalition in the Assembly. (Requested, not yet scheduled.)

7. A copy of the most recent public opinion survey covering public confidence in branches of the government. (Apparently not existent.)

8. Progress, if any, in “upgrading the Assembly’s capability.” (To be developed in the interview process, above, when it occurs.)

9. Progress, if any, in “holding the executive accountable.” (To be developed in the interview process, above, when it occurs.)

10. Progress, if any, in “improving public outreach.” (To be developed in the interview process, above, when it occurs.)
PROBLEM IDENTIFIED IN 2001 STUDY: poor performance in the Executive Branch.

1. The executive branch of government has hindered Suriname’s development by inadequately executing the core tasks of government.
2. And by consuming a large share of national resources.
3. A primary cause of the poor performance in core tasks and high cost of government has been the overambitious role assigned to government. The scope of the government’s activities has gone well beyond that which is generally considered to be a government’s purview.
4. The executive is overextended, trying to do too much with too little capability. As a result, it functions at a low level of effectiveness in most of its tasks.
5. A weak resource base has also hampered government performance.
6. Highly-skilled civil servants and complementary inputs are extremely scarce, largely because such resources have been crowded out by the expansion of low-skilled civil service employment.
7. The latter has contributed to the high cost of government and caused a collapse in civil service pay levels, thereby creating formidable incentive problems in retaining qualified staff.
8. In general, civil servants are poorly motivated as a result of low pay, a general ethos in the civil service of poor performance, and the lack of prestige of the civil service.
9. Units, ministries and the executive branch itself are only weakly accountable for their performance to their principals.
10. Accountability is undermined by information problems,
11. Principal agent problems,
12. Weakness of oversight agencies, and
13. The lack of possibilities for exit and voice.
14. Budgetary management has historically been one of the weakest areas of government performance.
15. Deficiencies in budget management have contributed to macroeconomic instability and
16. To the inefficient use of resources.
17. By contrast, the quality of revenue management improved markedly in the middle and late 1990s, and Suriname is already following best practice with regard to taxation rates. Nonetheless, the government could increase the efficiency and effectiveness of tax administration further.

**Needs**

1. **Definition of “the core tasks of government” and current performance rating on these tasks.** (Most recent government development plan requested, but not yet received.)

2. **Figures on government consumption of national resources in comparison with the year 2000.** (Most recent government development plan requested, but not yet received.)

3. **Definition of “the overambitious role assigned to government” and assessment of changes, if any, since 2000.** (Include examples of how the government has exceeded its “purview.”) (Requested meeting with official from the planning ministry, not yet scheduled.)

4. **Obtain examples of the government attempting to do too much with too little capability. Use this information to estimate its level of effectiveness in “most of its tasks.”** (Requested meeting with official from the planning ministry, not yet scheduled.)

5. **What is the current resource base of the government in comparison to 2000?** (Requested meeting with official from the planning ministry, not yet scheduled.)

6. **What is the relative status of highly-skilled civil servants (number and quality) in comparison with low-skilled civil servants now as in comparison with 2000?** (Meeting held with Monique Bakkir, Director of the Government Personnel Office in the Ministry of Home Affairs. Data included in this report.)

7. **What changes have been made, if any, in the motivation, pay, performance, and prestige, of the civil service since 2000?** (Meeting held with Monique
8. What changes have been made, if any, to improve the accountability of units, ministries, and the executive branch since 2000? (Requested meeting with official from the executive branch, not yet scheduled.)

9. What improvements, if any, have been made in the solution of information problems impinging on accountability since 2000? (Requested meeting with official from the executive branch, not yet scheduled.)

10. What improvements, if any, have been made in resolving principal-agent problems bearing on accountability since 2000? (Requested meeting with official from the executive branch, not yet scheduled.)

11. What improvements have been made in the operation of oversight agencies in the accountability process since 2000? (Requested meeting with official from the executive branch, not yet scheduled.)

12. What is the definition of the phrase “lack of possibilities for exit and voice” and what changes have been made, if any, in this situation since 2000? (Meeting held with Monique Bakkir, Director of the Government Personnel Office in the Ministry of Home Affairs. More information needed.)

13. What improvements have been made in budgetary management since 2000? (Requested meeting with official from the executive branch, not yet scheduled.)

14. What is the current status of macroeconomic instability in comparison with 2000? (Requested meeting with official from the planning ministry, not yet scheduled.)

15. What improvements have been made in efficient use of resources since 2000? (Requested meeting with official from the planning ministry, not yet scheduled.)

16. What improvements has the government made in the increase efficiency and effectiveness of tax administration since 2000? (Requested meeting with official from the executive branch, not yet scheduled.)
PROBLEM IDENTIFIED IN 2001 STUDY: significant problems exist in the justice sector

1. . . . there is a severe shortage of judges to hear both criminal and civil cases.
2. Justice sector organizations have very little budgetary independence and
3. Budgets for the courts, prosecutor, police and prisons are administered by the Ministry of Justice. This system is inefficient and hobbles both the independence and accountability of the organizations involved in justice.
4. Legal aid and legal literacy services have been severely curtailed because of low fees paid to attorneys taking on legal aid cases.
5. Suriname compares poorly with most Latin American and Caribbean countries on a prominent international measure of the rule of law, defined as an aggregation of the extensiveness and
6. Costs of crime,
7. The enforceability of contracts and property rights,
8. The predictability
9. And the impartiality of the judiciary, and
10. The extent of tax evasion.
11. Though violent crime rates are relatively low and the judges are generally regarded as fair and impartial, slowness and delays in the judicial process,
12. Combined with a large informal sector that largely evades paying taxes and
13. General concerns about favoritism and corruption in public sector decision-making processes, probably account for Suriname’s low score on the rule of law index.
14. A Constitutional Court, which the Constitution denotes as the organization responsible for assessing the constitutionality of laws and acts of public officials, has not yet been formed due to lack of implementing legislation.

Needs

1. What, if anything, has been done about the shortage of judges in comparison with 2000? (Requested meeting with official from the Ministry of Justice or similar agency, not yet scheduled.)
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2. *What improvements, if any, have been made in budgetary independence for the judiciary since 2000?* (Requested meeting with official from the Ministry of Justice or similar agency, not yet scheduled.)

3. *Who administers the budgets for the courts, prosecutors, police, and prisons? Why?* (Requested meeting with official from the Ministry of Justice or similar agency, not yet scheduled.)

4. *What is the status of legal aid and literacy services in comparison with 2000?* (Requested meeting with official from the Ministry of Justice or similar agency, not yet scheduled.)

5. *How does Suriname compare with other nations in Latin America and the Caribbean on international measures of the rule of law, including but not limited to:*  
   a. extensiveness of crime  
   b. costs of crime  
   c. enforceability of contracts and property rights  
   d. predictability of the judiciary  
   e. impartiality of the judiciary  
   f. extent of tax evasion.  
   (Requested meeting with official from the Ministry of Justice or similar agency, not yet scheduled.)

6. *What improvements, if any, have been made in the slowness and delays in the judicial process since 2000?* (Requested meeting with official from the Ministry of Justice or similar agency, not yet scheduled.)

7. *What is the extent of tax evasion, especially in the informal sector, in comparison with 2000?* (Requested meeting with official from the Ministry of Justice or similar agency, not yet scheduled.)

8. *What is the change in the extent of favoritism and corruption in the public decision-making process since 2000?* (Requested meeting with official from the Ministry of Justice or similar agency, not yet scheduled.)

9. *What is the status of the Constitutional Court mandated by the Constitution?* (Still not created.)
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PROBLEM IDENTIFIED IN 2001 STUDY: a variety of additional difficulties in civil society bearing upon governance.

Historically, Suriname has had a very centralized government and local government structures did not exist prior to the 1980s. It is clear that decentralization and strengthening district governments could benefit Suriname’s development. However, a number of factors, such as the weak existing capacity of district governments and the weak fiscal situation, argue in favor of a cautious and gradual approach to decentralization, particularly with respect to the transfer of responsibilities and resources. Nevertheless, the government needs to move decisively to allow citizens to elect their district commissioners in order to secure the necessary accountability of district governments. While there is scope for strengthening district governments so that they can take on greater responsibilities, efforts to strengthen the sub-district (ressort) councils are likely to be to be wasteful at this point.

Suriname’s civil society includes a wide variety of organizations, some of which are entirely autonomous of the state, while others collaborate with and even depend on, the state. Private sector organizations and labor unions are well-established and unions have long had an important influence on governance. Other types of civil society organizations, particularly non-governmental organizations (NGOs), grew in number and importance during the 1990s.

Electoral and political participation are relatively high but civic participation has traditionally been low. Civic participation is low partly because civics is not included in school curriculum. However, several NGOs have taken the initiative to execute civic education programs. The trend towards greater incorporation of civil society is likely to improve both the quality of development policies and the execution of government programs.

Suriname appears vulnerable to corruption because its economic and institutional systems have many of the characteristics that provide a favorable environment for
corruption. The economy is highly regulated and the officials who administer many of the economic regulations often have substantial monopoly power and a large amount of discretion. Furthermore, accountability in the public sector is weak — controls and systems of accountability are weak and oversight agencies such as the Auditor’s Office are largely ignored. Information generation and dissemination is modest, causing low levels of transparency in many parts of the public sector.

Legal institutions for accountability and for controlling corruption are weak. Suriname does not have an anti-corruption act and although it signed the Inter-American Convention Against Corruption on March 29, 1996, the National Assembly has not ratified the Convention yet. Many of the most appropriate options for reducing corruption in Suriname are reforms that would bring other development benefits. Thus, there is considerable synergy between reforms to directly promote economic and social development and reforms aimed at reducing corruption. Whatever the detailed elements, a viable program to reduce corruption would have to focus on reforming the economic and institutional systems that foster corruption. In particular, the program would need to focus on limiting officials’ monopoly power and discretion in decision-

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**GENERAL RECOMMENDATIONS OF THE 2001 REPORT**

The most important challenges facing the government as it tries to improve governance are:
• Reducing the regulatory burden on the private sector in order to promote economic growth and reduce the opportunities for corruption.
• Refocusing the executive branch on its core tasks so that it can improve its effectiveness and reduce costs. This involves reducing the number of activities the government is involved in to better match its capabilities.
• Addressing human resource issues in the executive and judicial branches over time.
• Overhauling budgetary organizations and processes.
• Improving the generation and availability of information to enhance transparency and accountability.
• Strengthening checks and balances and the ability of oversight agencies to function.
• Improving the performance of the National Assembly; and
• Fostering civic education and nation building.

SPECIFIC Observations and Recommendations of the IADB Suriname Study of 2001
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(NOTE: In many areas, the 2001 study is repetitive. An attempt has been made to edit this summary of the 2001 report to eliminate ideas already presented above.)

OBSERVATIONS AND RECOMMENDATIONS

The following are some of the principal observations and recommendations of the 2001 study:

1. Governance in Suriname

   A. The executive has failed to provide an environment conducive for economic growth and is also often unresponsive to citizens.
   
   B. Overall, governance is applied unevenly; the formal economy in coastal areas carries a heavy regulatory burden while East Suriname is almost devoid of government presence.
   
   C. Some government entities are subject to conflicts of interest.
   
   D. Suriname’s development performance has been poor. GDP grew only 0.7 percent per annum in real terms between 1975 and 1999 and was stagnant in per capita terms. In addition, Suriname’s social indicators improved more slowly than the average for Latin America and the Caribbean over the same period. Although it is difficult to know exactly how much of this performance can be attributed to governance deficiencies, it is clear that they have played a major part.
   
   E. In addition to the general difficulties associated with governance mentioned in 1.3, Suriname faces additional obstacles to good governance. The most important obstacles are:
      - the prevalence of patron-client networks,
      - the rich natural resource endowment,
- ethnic factionalization, and
- a vulnerability to narco-trafficking.

F. Reducing the regulatory burden on the private sector in order to promote economic growth and reduce the opportunities for corruption;

G. Refocusing the executive branch on its core tasks so that it can improve its effectiveness and reduce costs. This involves reducing the number of activities the government is involved in to better match its capabilities;

H. Simplifying and “borrowing” institutions where possible;

I. Addressing human resource issues in the executive and judicial branches over time;

J. Overhauling budgetary organizations and processes;

K. Improving the generation and availability of information to enhance transparency and accountability.

L. Strengthening checks and balances and the ability of oversight agencies to function; and

M. Fostering civic education and nation building.

2. **The Constitution**

   A. The Constitution is incomplete or vague on important constitutional matters and such weaknesses contributed to a Constitutional crisis in mid-1999.
B. The Constitution also does not clearly and explicitly set out the separation, and balance, of power between the executive, legislative and judicial branches of government. Such weaknesses contributed to a crisis in the judiciary in 1998-99.

C. The Constitution lists the social objectives that the government is required to aim for as:

- raising the standard of living;
- ensuring an equitable distribution of national income;
- ensuring a dispersion of public services and economic activities;
- protecting the environment; and
- ensuring labor’s co-management of companies, especially with regard to decisions on production, economic development and planning.

D. In addition, the Constitution places extensive social obligations on the state. These obligations include:

- guaranteeing citizens’ access to health care;
- providing free education (including the free “practice of science and technology”);
- eradicating illiteracy;
- providing special protection for youth;
- indicating the conditions for work, remuneration and rest to which employees are entitled;
- guaranteeing the right to work;
- taking care of “the creation of conditions” to satisfy basic needs for
  - work,
  - food,
o health-care,
o education,
o energy,
o clothing,
o communication; and
o making services of legal aid institutions accessible.

E. Suriname’s Constitution has two major flaws:
- it is incomplete or vague on certain important constitutional issues; and
- it includes excessive articles on matters that do not need to be included in a constitution.

F. First, as the constitutional crisis of 1999 has demonstrated, the Constitution lacks clear procedures for removing a President and/or Vice-President.

G. A related problem is that the procedures for calling new elections and changing the duration of tenure of parliamentarians and the President/Vice-President are not clearly spelt out.

H. Second, the Constitution could have clarified more explicitly Suriname’s system of government.

I. Greater clarity might have prevented muddles such as an executive president being elected by parliament — a method generally reserved for selecting ceremonial presidents — rather than by direct election.

J. Third, the Constitution could have established some explicit rights for the peoples of the interior and set a framework or principles within which property rights in the interior could have been resolved.

K. The Constitution incorporates many articles on matters that could have been dealt with in other less fundamental laws and documents. For instance, the text on economic and social objectives are really only policy goals and would be more appropriate in a five-year development plan than in a constitution.
L. The extensive sections on individual and collective rights could have been included in a Bill of Rights.

M. This flaw of “inclusion” is in some ways less serious than the flaw of “omission” described above. A constitution can still function even if it is weighed down by excessive baggage. However, the inclusion of extensive articles on matters that are not important for a constitution could be an impediment to development and may have served to undermine the authority of the Constitution.

N. To some extent, the Constitution locks in a predominant role for the state. If such a role had been ascribed in a lesser law or policy document, it could have easily been modified and adapted to changing beliefs and policy directions. As such, its inclusion in the Constitution constrains the policy choices available to a Government, if it wishes to abide by the Constitution.

O. The Constitutional role assigned to the state has an adverse impact on both the executive and the private sector. The executive is burdened with commitments that are almost impossible to fulfill and which stretch its capability. On the other side of the coin, the extensive role assigned to the state impedes private sector development directly, by favoring the state in certain activities, and indirectly, by creating uncertainty about the private sector’s property rights.

P. Suriname’s Constitution places few restrictions on the arbitrary use of power by the state; on the contrary it increases the scope for it by giving the state such an important role in so many fields. The inclusion of less-important provisions may have undermined the Constitution in two ways. First, because many goals and objectives laid down in the Constitution are unobtainable — at least in the short run — certain parts of the Constitution have not been observed. This has tended to devalue the authority of the Constitution.

Q. Second, the focus on temporary policy goals that were related to a specific time period, rather than to timeless principles, has increased the likelihood
that the Constitution will have to be revised sooner rather than later. This is unfortunate because not only are constitutional revisions costly and disruptive, but also constitutions tend to gain weight and authority the longer they are in place.

3. The National Assembly

The National Assembly membership is broadly reflective of the country, with a geographically and ethnically diverse base. Female representation is growing (more than 10 percent of total members in 1996, including the first woman Speaker). However, scholars and politicians alike have repeatedly pointed out that Paramaribo and Wanica are under-represented with the current distribution of National Assembly seats (Table 4). With more than 70 percent of the total population residing within their two district borders, they receive less than half the total number of National Assembly seats (24 of 51). On the other hand, the districts of Coronie and Brokopondo with just over 1 percent of the population, receive 10 percent of the seats in the National Assembly. The reasons for this inequity are deeply tangled in Suriname’s history as well as its ethnic and regional political system. Over-representation was seen as a way of helping the smaller and outer-lying districts to develop.

The National Assembly needs to improve its performance in three areas.

A. First, it should seek to increase the quantity and quality of laws that it approves.
B. Second, it should seek to hold the executive more accountable, when needed.
C. Third, it should seek to regain the trust and confidence of the public.
D. In addition,
   a. It should seek to increase the time that members devote to their Assembly work.
   b. Obtain budgetary independence:
   c. Upgrade administrative staff.
   d. Rationalize staff use.
e. Provide training to staff in technical and administrative areas.
f. Upgrade physical and support infrastructure:
g. Modernize research facilities:
h. Improve the presentation of the budget:
i. Improve the flow of data to the Auditor's Office:
j. Establish a Standing Committee for Public Accounts:
k. Assign qualified staff to the Standing Committees:
l. Allow greater scope for direct questioning:
m. Resolve constitutional ambiguities:
n. Seek to define exactly Suriname’s form of government: parliamentary, presidential, or mixed;
o. Define how to remove the President and Vice-President,
p. Define how to recall a member of parliament; and
q. Define more explicitly the powers and immunities of the President.
r. Improve public outreach and regaining public confidence
s. Print and publish the legislative record and daily debates:
t. Invite public comment on draft legislation:
u. Establish a public/media relations office:
v. Approve a code of conduct and ethics for parliamentarians.

4. The Executive

RECOMMENDATIONS
There is a strong and urgent need to improve the effectiveness of government and reduce its costs. Improvements would bring big economic and social development benefits. Conversely, if improvements in the effectiveness of government are not made, there is a serious risk of a continued slide in governance and economic performance with the ultimate result that Suriname becomes a “failed state”. Therefore, the principal goal of government reform should be to improve the government’s effectiveness rather than simply to cut costs. The reform agenda is huge and what can be done will inevitably be only a small part of what should be done. Nevertheless, considerable improvements are quite feasible. Many different options for reforming government are available, but the core of any plausible program should focus on addressing four central problems:

a. overstretch,
b. the weak resource base,
c. the lack of accountability, and
d. poor motivation.

OVERSTRETCH

- The government should stop trying to do what markets or the private sector could do better. The government currently undertakes several market-suppressing activities, such as price controls, ownership and management of foreign exchange earnings, and ownership and management of land. In such activities markets could do a better job and government involvement leads to inefficient outcomes and contributes to the overstretch of government. The government also currently undertakes several private sector replacing activities — particularly in the production of marketable goods and services. Termination of government involvement through the privatization of state enterprises would bring several benefits. The privatized firms would be more efficient and dynamic, the fiscal cost of subsidizing loss-making firms would be reduced, and the administrative burden on government would be lessened.
Even within agencies that perform core government tasks, the government could reduce overstretch by unbundling activities. In all ministries cleaning and security services and some staff training could be hived off to the private sector and supplied on a contractual basis.

Some individual ministries have even greater scope for putting more emphasis on their core tasks. For instance, the Ministry of Public Works could focus more on its core responsibility of managing the roads network and subcontract private sector firms to do the actual construction and maintenance of roads.

The Ministry of Health could stop overseeing the Suriname National Drug Company (BGVS) (a state enterprise that has a monopoly on the production and distribution of medicines) and put more focus on regulating medicines.

Major improvements in macroeconomic management could be made by reforming and significantly upgrading budgetary procedures and organizations.

Exchange rate determination is a second important aspect of macroeconomic management that requires improvement. The long history of exchange rate mismanagement by the state suggests that alternative institutions should be used to determine the exchange rate.

One option would be to delegate exchange rate determination to the market. The official exchange rate would be abolished, leaving a single, economy-wide, market determined, floating exchange rate. The central bank could smooth fluctuations in the rate by intervening in the market but would not try to supplant the market and determine the exchange rate on its own.

A second option would be to “borrow” another country’s monetary institutions by irrevocably fixing the exchange rate. This could be done either through introducing a currency board and a strict rule-based system or through the wholesale adoption of a different currency, such as the dollar or Euro.
A key goal should be to maintain adequate funding for the health and education sectors, whose activities generate high social returns. But the major gains in health and education outcomes will have to come from efficiency improvements and getting more value for money.

The correction of market failures is another core task that requires improvement. Here the government needs to supplement rather than undermine markets. In particular, it should strive to increase competition in the

- air transport and
- telecommunications

sectors as well as strengthen the regulation of these sectors.

The government could improve its ability to protect the vulnerable by reforming the social safety net. Key methods of increasing the safety net’s effectiveness include

- improving targeting,
- strengthening management, and
- consolidating benefits.

THE WEAK RESOURCE BASE AND MOTIVATION

Improving the resource base and motivation necessitate
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- successfully attracting and retaining highly-skilled civil servants for professional, technical and managerial functions, and
- increasing access to more complementary inputs.

Because of tight fiscal constraints the central task is to rebalance government spending, spending less on low skilled, low output civil servants and more on highly-skilled civil servants and complementary inputs. The government has little option but to increase spending on complementary inputs. Expenditures on most complementary inputs would have a very high rate of return because they are so scarce and currently act as a bottleneck. Relatively modest increases in complementary inputs could lead to large increases in effectiveness.

- The government will have to resolve incentive issues before it is able to attract and retain highly-qualified civil servants. In particular, the government will have to raise civil service salary levels to a point where they approximate private sector levels for equivalent skills. It is infeasible and undesirable to raise real salary levels across-the-board in Suriname’s current economic circumstances. It is infeasible because the government simply does not have sufficient resources to raise all government employees’ salaries. Large nominal increases in civil servants’ salaries would lead to large fiscal deficits and inflation, which, in turn, would erode the real value of the increases.

- Across-the-board salary awards would also be undesirable because there is evidence that public employment at the lower end of the civil service scales is already more attractive than private sector employment. Salaries may be lower but the fringe benefits — particularly
  - free access to health care
  - job security and
  - lax discipline in the public sector
more than offset the lower salaries. Therefore, convergence with the private sector might imply a lowering of the real value of salaries at the lower end. In addition to the concern with maintaining an approximate parity with the private sector, the fundamental need to rebalance expenditures away from low-skilled
civil servants makes it undesirable to further increase the incentive for low-skilled civil servants to stay.

- The above implies that wage scales will have to diverge or decompress — salaries of the higher grades will have to rise faster than those of the lower grades. Highly-skilled civil servants account for less than 4 percent of total civil servants and for roughly 13 percent of the total wage bill. Because there are so few highly-skilled civil servants, the government could achieve substantial real increases in their salary levels with relatively modest increases in expenditures. For instance, the salaries of civil servants in grades 18-24 could be raised threefold in real terms, for only a 26 percent increase in the total wage bill (equivalent to 3.7 percent of GDP.)

- The government will need to rebalance salary incentives in the context of an overall review of civil service pay. The departure from the unified pay-scale and differential treatment of different sectors within the civil service has
  - upset salary relativities,
  - created sectoral rivalries and
  - contributed to strikes.

A decompression of civil service salaries would go against the grain of egalitarianism in Suriname’s public sector and could be fiercely resisted by public sector unions. Concerns may also be raised about impoverishing civil servants in the lower grades. However, the validity of the latter concern is questionable given that low-level civil servants have enjoyed rapid real wage increases in the last five years and that their salaries in 1999 were over three times the levels in 1994 in real terms.

- Fundamentally, salary decompression is inevitable if the government's capability is to be restored. Suriname faces the basic choice between a functioning government, with decompressed salary levels, or a non-functioning government that acts as a form of welfare.
- The other side of the coin of raising the salaries of the highly-skilled is reducing the cost in real terms of civil servants in the lower grades. In the long run this will require reducing the number of civil servants at the lower grades.

- The first step is to stop the problem from getting worse by imposing an effective hiring freeze on the lower grades (probably 1-17). This would reverse the current situation whereby it is easier for a minister to hire lower grade civil servants than high ranking civil servants. The hiring freeze must be effective and watertight. Compliance problems have undermined previous hiring freezes. Every minister (and political party) knows that in the aggregate the government cannot afford to endlessly dole out new jobs to the low-skilled. However, individually they have an incentive to cheat and recruit people for their ministry because the political benefits are local and internal to the ministry while the costs are dispersed and mostly external to the ministry.

- Solving this externality/common pool problem requires
  - centralizing hiring authority,
  - creating the technical capacity to monitor and enforce the freeze, and
  - strengthening the institutional framework for the freeze.

- This implies a need to significantly upgrade the civil service’s management information system so that the government can create a record of each civil servant in a database.

- In addition, it suggests an enhanced role for the CSFE in checking and monitoring the hiring freeze.

- The second step towards rebalancing government expenditures is to get rid of “ghostworkers”. This is a politically easy measure — indeed it might even be popular with the private sector and with working civil servants. A precondition is an adequate management information system so that the government can identify and register all civil servants. The government can then compare the
database of registered civil servants who are certified as attending their work with the payroll database. Experience in other countries shows that eliminating ghost-workers can often reduce the payroll by 5 to 10 percent. In addition to identifying true “ghost-workers”, it may be useful to consider reducing the number of “political ghost-workers”.

- Significant rebalancing of the government’s expenditures and a big gain in the human resource base of government depend on a third measure: reducing the number of low-qualified civil servants. This would benefit the economy doubly.
  - First, it would free up fiscal resources and allow the sought after rebalancing of government expenditures.
  - Second, it would increase the available labor supply for the private sector.

Because many civil servants would have a higher marginal social product in the private sector, their transfer from the public to private sectors would directly raise national welfare.

- The central issues involved in reducing the number of civil servants revolve around the speed and method of the adjustment. In deciding on a reform strategy, the government will have to form a judgment about the benefits and costs of each approach in the context of Suriname’s political, economic and cultural environment.
  - A gradual approach to downsizing relies on attrition to reduce numbers. The gradual approach is less disruptive to morale, has lower political costs, and has lower requirements on management. But it is slower to produce savings. Exactly how quickly attrition would reduce the number of civil servants in Suriname is unknown because the age-profile of the civil service is not known. Once a solid management information system is in place, the government would be able to construct an age-profile that could help inform the government’s civil service management strategy. In certain circumstances, attrition can produce significant savings.
• Upgrading the quality of civil service management implies upgrading the CSFE – the organization with the responsibility for overseeing the civil service.
  
  o A key goal of civil service reform should be the transformation of the CSFE into an elite organization, similar in many respects to how the National Planning Office used to be. As an elite and more respected organization with upgraded capacity, the CSFE would
    ▪ have the ability to manage and supervise all aspects of civil service reform.
    ▪ The organization would have responsibility for preparing and executing reforms at the strategic level and also for monitoring and enforcing civil service rules at a day-to-day management level.
    ▪ In particular, the CSFE could run an upgraded management information system,
    ▪ enforce a hiring freeze, and
    ▪ have a role in the hiring of new high level civil servants.

• A shock approach involves severance of employees. Assuming some form of compensation for departing employees, the severance package entails a large cost for the government up-front which then produces savings down the road. Although the net present value of such savings can be attractive, the up-front costs of a severance package may compromise the objectives of increasing funding for complementary inputs and higher salaries for higher grade civil servants in the short run.

• Severance can be voluntary or involuntary. Involuntary severance — the identification and dismissal of a number of employees — can be politically difficult and, if the selection process is arbitrary and opaque, it can raise issues of fairness.
Under voluntary severance schemes, the government designs a severance package to make it attractive for civil servants to leave the government. Hence, civil servants select themselves and volunteer to leave. The major problem with voluntary schemes is *adverse selection*, whereby the most skilled and dynamic civil servants opt to leave, thereby reducing the average skill level of the civil service even more. *Adverse selection* is likely because it is precisely the most skilled and dynamic civil servants who are most likely to find private sector employment, although recent research on retrenchment schemes suggests that severance packages can be tailor-designed to reduce the risk of adverse selection. In Suriname, the government would have to take into account non-wage benefits, such as access to health insurance, during the design of an optimal retrenchment scheme, because they appear to be the major reasons why many low-grade civil servants find government employment attractive. In view of this, the government has been investigating the possibility of extending public health insurance to the whole country. Complete coverage of public health insurance would go a long way towards equalizing the non-wage incentives between private and public employment. Also it might not be too costly — the government already finances health care services for approximately 77 percent of the population and many of the private sector employees who have private health insurance might not use public insurance even if it was extended to cover them.

Rehiring has been another major problem with voluntary severance schemes. In many countries that have implemented voluntary severance schemes for civil servants, the government has subsequently rehired many of the departing civil servants. Thus the scheme’s success in reducing the number of civil servants has been greatly reduced, while considerable public funds have been wasted supporting higher private consumption or leisure of the temporarily-severed civil servants.

If the government were to opt for the severance approach to reducing the number of civil servants, it would also have to decide on the scope of its
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retrenchment policy. Severance could be applied across the whole civil service or applied ministry-by-ministry. Taking a comprehensive approach would produce larger savings more quickly and has the advantage of treating all ministries equally. However, the ministry-by-ministry approach is less administratively demanding and can be combined with functional reviews of ministries, thereby allowing the retrenchment reform to be part of a larger reform of ministries.

- Two severance plans have been suggested for Suriname in recent years
  - The CSFE prepared and proposed a “Ten Steps Plan”.
  - The Warwick Research Institute, a firm of external consultants which monitored the government’s Structural Adjustment Program in 1994-96, prepared the second plan. The government has not adopted either to date.

- Consideration of the choice between a gradualist and shock approach to reducing the number of low-grade civil servants must be influenced to some degree by the employment prospects for departing civil servants and the ability of the labor market to absorb a sharp increase in the supply of workers. The fact that private sector employment declined by 0.8 percent per annum from 1990-97 is not encouraging. There is no doubt that private sector employment could grow faster under the right conditions, but short-term prospects should not be exaggerated. Indeed, it was precisely the weak supply of private sector employment that originally made public sector employment so attractive and contributed to the growth of civil service employment. It is true that many civil servants already work part-time in the private sector and therefore would not have to find “new” jobs. It is also true that certain types of retrenchment, such as severance of government cleaners or guards would cause an automatic growth of private sector employment in cleaning and security contractor firms. However, it is unlikely that private contractors would need to employ as many cleaners or guards as the government has done to perform the same services. Stimulation of microenterprises is often cited as a large potential source of employment for ex-civil servants. However, the prospects for microenterprise growth also should not
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be exaggerated, and the potential, at least in the current economic policy environment, may be limited, except in agriculture.

- Consequently, there is a bit of a “chicken and egg” problem: private sector growth depends in part on a more efficient and effective government; but a rebalanced government depends in part on the presence of a dynamic private sector. This sequencing problem underlines the need to continue pursuing structural economic policy reforms to improve the environment for private sector development.

- Addressing incentive problems will be a *sine qua non* for attracting highly-qualified and competent entrants to the civil service and for retaining highly-skilled staff. It would also be important to improve recruitment procedures. To some extent the two go hand-in-hand because higher salaries increase the demand for government positions and hence allow more restrictive and tighter recruitment procedures. But recruitment procedures themselves can be improved independently.
  - The surest way to improve the quality of entrants to the civil service is to ensure that recruitment procedures are
    - meritocratic and
    - competitive.
  - It may be useful to create two recruitment tracks —
    - one for generalists and
    - one for specialists.

The generalist track would be open to top graduates from the university and could be managed directly by the CSFE. The CSFE would recruit graduates on a strictly meritocratic basis, provide them with basic civil service training and then supply them to ministries. The government would expect these entrants to be high fliers who rise quickly through the ranks.

The specialist track could cater to the special needs of ministries, particularly in technical areas, such as veterinarians in the Ministry of Agriculture, Animal Husbandry, and Fisheries. The individual ministries
could take the lead in identifying and screening candidates, due to their knowledge of the technical area, but the CSFE could be involved in the hiring process to ensure that certain procedures are followed.

• Although the need to add to the stock of highly qualified civil servants is strong, the government could take steps to use its existing human resources more optimally.
  
  o One step would be to make organizational changes that create a critical mass of skilled staff, rather than dispersing them. There appears to be scope for merging certain ministries or departments with others. For instance, the government could fold the Ministry of Labor into the Ministry of Social Affairs or merge the Macro Planning Division of the Ministry of Planning and Development into the MOF’s Department of Economic Affairs. Such a merger would consolidate all the government’s scarce macroeconomic planning capability (outside of the central bank) into one department. The resulting department would likely be stronger than the sum of the parts. A strong economic planning bureaucracy has been a common feature of the so-called “developmental states”, which have had the most successful development experience.

• High government effectiveness comes not only from employing well-qualified and capable staff but also from ensuring that the civil service is motivated to perform well. Fortunately, most of the aforementioned reforms would contribute to higher morale: addressing incentive problems would probably remove the biggest bottleneck to high morale in the civil service; ensuring that civil servants are sufficiently equipped with the complementary inputs needed for their jobs would also contribute to morale; and more competitive and meritocratic recruitment procedures would raise the prestige of civil service employment. Increasing worker participation and multi-tasking could also contribute to higher morale and improved performance.

STRENGTHENING ACCOUNTABILITY
Strengthening accountability must be a third key pillar of a strategy to improve government performance. The government can take various actions to strengthen accountability in the executive. Enhanced accountability requires a significant improvement in the availability and quality of

- Information, and
- transparency.

The budget is one of the areas most in need of information improvements. An earlier section set out recommendations to improve budgetary procedures and organizations, including relatively simple and quick measures that would help to generate more useful data about the budget.

- The government can do much to improve the quality and utility of budget data and its availability to policymakers. This would go a long way to raising the internal accountability of managers and ministers.
- The government could enhance external accountability by presenting the budget to the National Assembly in a form that is useful and amenable to parliamentarians.
- Furthermore, the government should transmit information on budget execution to the Auditor’s Office so that agency is able to fulfill its oversight duties.

- Improving accountability will also require the generation of more information about government organizations’ performances. Although it is difficult to measure accurately or to quantify all aspects of an organization’s performance, many aspects can be measured and monitored.

- In particular, the government should develop output indicators for each ministry and for organizations within ministries. Ideally, the ministry being measured would have substantial participation in developing the output indicators used to measure its performance, along with the Ministry of Finance and the Ministry of Domestic Affairs.
Improved accountability requires that variations in performance have consequences for organizations and individuals. Good performance should be rewarded more and bad performance punished more. Allowing managers to have more ability to advance the promotion of good performers and prevent or delay the promotion of bad performers would be an important start.

Ideally, managers should be allowed and encouraged to dismiss extremely poor performers. Dismissal of one or two very poor performers could have a salutary effect on employee performance.

At the moment it is probably unrealistic and undesirable to link pay to performance. Differentiating salaries is more administratively complex than the unified pay scale system. In addition, there are risks to allowing too much discretion over salaries in a system where control systems are weak. Furthermore, despite its intuitive appeal, there is, as yet, little empirical evidence to support the notion that linking individuals pay to performance in the public sector leads to better performance. By contrast, some research indicates that teamwork and cooperation can be discouraged if rewards are too focused on individuals.

For similar reasons, establishing individual performance contracts may not be appropriate at this time. Although countries at the forefront of public administration reforms, such as New Zealand, have introduced performance contracts, managing performance contracts require a high level of capability which simply does not exist in Suriname’s public sector at present.

The electricity sector is a major sector that would benefit from greater transparency. At present, a labyrinth of multiple government objectives and opaque accounting diminish accountability for performance in the sector. Partly as a result, electricity subsidies are a major component of government expenditures even though the country has cheap hydroelectricity.
The majority of electricity is generated privately, by a large bauxite company. As part of an agreement concerning the construction of the hydro-electricity plant, the bauxite company sells 80 million kilowatt hours (kwh) per annum to the government at US$0.004 per kwh. Instead of selling the electricity to the state distribution and generation company, EBS, the government gives it to EBS. In return, EBS does not charge the government for the provision of electricity to government buildings and for the street lighting that EBS provides. The accounting is further muddled because the government – which is often in payments arrears – frequently deducts the cost of its electricity bills from the bauxite company’s tax obligations.

- The government could increase accountability and efficiency by introducing more transparency into the system.
- The government could remove itself from the electricity market and let the generator sell directly to the distributor.
- EBS could pay a surcharge to the government for the electricity it buys so cheaply. However, it would also explicitly charge the government for the provision of electricity to government buildings and for street lighting.
- Last, the bauxite company’s tax obligations should be separated completely from the electricity market.

The government can deter bad performance at the organizational rather than individual level, by hardening organizations’ budget constraints. The government could also start to partially link organizations’ and ministries’ budgets to outputs rather than have their budgets determined by inputs, as happens now. Linking organizations’ funding to their outputs or performance can provide them with a powerful incentive to improve performance.

The exit of a firm or organization’s customers to a rival provider is an important source of discipline and external accountability. Exit possibilities are greatest in state enterprises that produce a marketable output, such as telecommunications, airline transport or crude oil. In such activities the government should encourage
competition and widen the customer’s possibilities for exit. It is important not to confuse the interests of the company with the national interest. Indeed, the public interest in good quality goods and services at a low price can sometimes conflict with the company’s desire to charge a high price and have an easy life. The government can best serve the public interest and promote the performance of state enterprises by removing legal and policy barriers to entry in order to foster competition. As noted above, the government has already done this in the telecommunications sector, resulting in improved service and lower prices for consumers. However, even within the core government the government can create or reinforce exit possibilities.

- For instance, within individual ministries policymakers can differentiate between different activities.
  - Certain functions such as cleaning and security services could be contracted out to private firms in a competitive market. Contracting out would provide the hiring ministry with exit possibilities and would almost certainly result in better services being provided at a lower cost.

- There is even scope for increasing exit possibilities in core public services. For instance, giving parents more freedom to decide which school their children will attend (i.e. increasing their exit possibilities) can serve as a quick “wake-up call” for under-performing schools.

- Nevertheless, usually it will be difficult to increase the possibilities for exit in core public services because of the nature of the public good or service. Hence, it will be important to create or strengthen the institutional mechanisms by which customers, clients, and other beneficiaries can provide feedback to the public provider (voice).

- Some ministries or organizations could establish consumer relations bureaus in order to allow the organization to hear their clients’ complaints and suggestions for better service. Government organizations could also publish citizens’ charters that set out the quality of service that customers can expect.
The Ministry of Education could create school boards with substantial parental participation in them to give parents a more direct say in how the schools teaching their children are managed.

5. The Justice Sector

5.7 Recommendations

This section sets forth recommendations for actions to be taken in the justice sector designed to address its most critical needs. While many of these actions can be supported by assistance from donors, including the IDB, many of them will also require a political consensus in Suriname that these are actions the government and its citizens consider important to the country’s future, and a political decision on the part of the executive and National Assembly.

A. INDEPENDENCE.

a. Procedures for the appointment of Court of Justice judges and the Prosecutor General must be established in sufficient detail to settle the current debate and to prevent future debates over this issue.

b. It is important that the appointment procedures guarantee that candidates are (1) chosen by merit and (2) are beholden to no person or political party while serving their lifetime appointment.

c. The judiciary — the courts and the prosecutors — ought to have greater authority to manage the budget assigned to them by the Ministry of Justice and Police.

d. Courts and prosecutors should be required to report to the MOJP and the public regarding their budgets and their use of funds,

e. But they should not be required to seek approval ex ante for expenditures within the assigned budget.

f. It is critical to the rule of law that the country recruit, train and hire more judges.
g. This will require raising salaries for judges to make the public position more competitive with private sector employment opportunities for lawyers.

h. The court system might benefit from hiring a professional court manager to supervise the budget and administration.

i. Suriname will need to either establish a Constitutional Court or to place jurisdiction over constitutional matters in the Court of Justice, in order to ensure adequate judicial review of the constitutionality of government actions and laws.

j. Improved physical plant to make courtrooms safe (reasonably fireproof) and working spaces minimally adequate is clearly necessary.
   
   i. Space for
      1. courtrooms,
      2. archives,
      3. a judicial library,
      4. registrars’ offices,
      5. rooms for lawyers to confer with clients are woefully inadequate in the present facilities.

   ii. It would be ideal if the courthouse could be near, or even contain
      1. space for the Legal Aid Bureau and
      2. public prosecutors’ offices.

   iii. Small-scale, simple support systems and equipment could be installed to make the judicial process more efficient (such as additional word processors, or video conferencing equipment to permit judges to hold hearings regarding defendants in the interior without necessitating travel by judges or defendants).

k. A training program for those who wish to become judges — to be carried out by NGOs, the law school, or the Court itself — should be re-established as soon as possible.
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l. The law school could be strengthened to ensure solid training of future generations of judges, prosecutors, public defenders, notaries, registrars and attorneys.
m. More regional training opportunities, especially with other CARICOM countries, would be useful for judges, prosecutors and public defenders.
n. In fact, many justice system employees within the Ministry of Justice and Police as well as the judiciary, could benefit from training and conference opportunities with countries of the region.
o. Prosecutors and police need to do some training jointly so as to assure that police understand the requirements and impact of the judicial process on their investigatory process.
p. The staff of the Ministry who work on review and drafting of legislation should receive training to improve their expertise in drafting and editing legislation.
q. The MOJP would also benefit from assistance designed to address inadequacies in the provision of legal aid and public defense caused by insufficient attorney participation in the program due to the low fees paid to them.

   i. This could be done by raising fees for pro bono work, and/or
   ii. Requiring recent law school graduates to volunteer a minimum number of hours to pro bono work, and/or
   iii. Establishing positions for full-time legal aid and public defense lawyers.

r. Suriname could also consider implementing a sliding fee scale based on ability to pay; a fee system that started from zero for those who are not able to pay and moved up to modest fees for those who do have the ability to pay might help ensure that legal service clients attribute value to the legal aid they receive.
s. In order to provide effective legal aid representation, the Legal Aid Bureau will need to be able to supervise outside attorneys assigned to
legal aid cases. A system for supervision of cases and sufficient staff to carry it out is key to establishing an effective legal aid program.

t. Provision of better equipment (word processors, etc.) for the Bureau would also be helpful. It might also make a great deal of sense to make mediators available to Legal Aid clients to help reduce caseload and increase client satisfaction.

u. The government should consider carefully strengthening police presence outside of the capital.

v. More emphasis should be put on community policing and outreach to citizens in areas such as violence prevention.

w. The citizen perception that the police are too close to the military should be addressed, perhaps by establishing some opportunities for citizen review and comment on police conduct.

x. The police would benefit from training agreements with countries in the region: Brazil, Barbados, Canada, and the U.S.

y. Close coordination between the MOJP and the Prosecutor General on police issues is important for the efficient use of police resources.

z. The government should seek to: reduce the time that prisoners spend in jail awaiting trial (thus reducing overcrowding in custody prisons);

   i. implement simple training programs for inmates in skills that the market requires; and

   ii. make it possible for juveniles to study or do work-training.

aa. Civil service reform to eliminate the need to pay an enormous number of ghost workers would free up funds for training programs.

bb. In addition, the government should consider improving training for prison officers.

cc. Police, prosecutors and courts have very little presence in the interior of the country. The police report that more and more interior districts are requesting police services, and both judges and prosecutors would
travel to the interior more often if more funds and time were available to them.

dd. Establishing the administration of justice in the interior will require that attention be paid to the rights of indigenous communities under the Peace Agreement, and mechanisms for making it possible for the traditional legal system and the constitutional system to function in tandem.

e. The way in which police, prosecutor, legal aid and court services are provided in the interior will have to be sensitive to local legal systems.

ff. Suriname could implement an alternative dispute resolution (ADR) project involving courts, police, prosecutors, the Legal Aid Office, law schools and community centers, to encourage use of ADR for cases that needn’t go to court, for prevention of violence and local resolution of disputes.

i. It may be that training and support in ADR should extend to traditional justice institutions in Maroon societies.

ii. In any case, Suriname can build on local traditions of dispute resolution and violence prevention in developing an ADR program.

gg. The awareness campaigns and dispute resolution training to prevent domestic violence could be continued and expanded.

hh. In order to carry out governance reform and implement government policies, Suriname will need to formulate new legislation and modify existing laws and regulations. Thus, law reform will be one step in improving governance in Suriname. Strategic reformation of laws would include:

- Formulation of a national legislative strategy identifying the laws that need to be drafted or reformed in support of government policy objectives, with clear assignation of responsibilities among
ministries and a follow-up mechanism (this strategy is absolutely critical to the reform effort).

- Review of the process by which the executive formulates and approves draft laws for consideration of the National Assembly, to determine whether there are any unnecessary bottlenecks.

- Implementation of programs, by the ministries responsible for drafting specific laws designed to solicit input and participation from the public, and to build consensus around new legislative initiatives; and

- Implementation of training programs in legislative drafting; and technical assistance in specific areas in which new legislation is needed and in which local expertise could be supplemented with an international or regional perspective (for example, short-term assistance from an expert in banking and financial system regulation).

ii. The Prosecutor General's Office and the police would benefit from formulation of a national policy (and provision of funds for its implementation) on how to deal with the drug trade. This may require reviewing international agreements and regional cooperation in this area, as it would be impossible for the government to spend vast sums on radar, surveillance equipment, aircraft and the like.
The IADB report from 2001 certainly leaves a long checklist of items for review. In the intervening decade additional problems have arisen, without regard to the nation’s ability to resolve those already identified in 2001. Therefore, of fundamental importance in this research effort will be access to (1) knowledgeable experts both within and outside the government in each area to be covered and (2) written documents reports, plans, and supporting material that impinges on the topics to be included in the report. Neither experts nor documents have been readily available outside the areas of civil society and land reform.

Unfortunately, in the introductory three days, and the subsequent week-long visit, we have been unable to reach many key people for interviews and have collected only an incomplete set of pertinent documents. This may be due to the inability of IADB to exercise interview leverage on local leaders or it may be due to reluctance on the part of those leaders to address the kinds of questions to be presented in a period immediately in advance of a national election, or at all.

Many interviewees indicated that they could not participate “because of the election.” This seems like a useful excuse, but it is hardly helpful to the project’s conclusion. In any event, this initial document is significantly incomplete. The Plan of Operations for the Governance Study Update lists four major components of the work to be achieved:

(i) Political and Economic Governance  
(ii) Public Sector Governance (central and local governments)  
(iii) Land Policy Governance, and  
(iv) Civil Society and Indigenous Peoples in Governance Processes.

As the remainder of this draft will show, the team has made substantial progress in the areas of land policy and civil society. On the other hand, the inability to meet with political, judicial and governmental leaders has impeded greatly the conclusion of adequate sections on political, judicial and economic governance and on public sector governance.

The Plan of Operations lists eight specific sub-sets of information expected:
(i) historical background (to be included in the final draft)

(ii) presentation of how laws, organizational structure, installed capacity, formal and informal practices, rules of the game, and infra-institutional framework are used to protect and advance particular interests

(iii) identification of local beneficiaries of the status quo and their resistance to institutional change

(iv) provision of best practices for addressing institutional and organizational deficiencies and identify counter-forces that may arise (to be presented in the final draft)

(v) setting of governance baselines, indicators, and benchmarks, and note institutional weaknesses and reform options (to be presented in the final draft)

(vi) identification of areas for more in-depth analysis (to be presented in the final draft)

(vii) evaluation and rating of variables 9 and 10 of the Bank’s Country and Institutional Policy Evaluation (CIPE) (to be presented in the final draft)

(viii) preparation of a strategy for public dissemination of the study (to be presented in the final draft.)

PART TWO: The 2010 Report

I. Political and Economic Governance
Although the interview flow to this moment has been limited, the discussions held with academics, leaders within the civil society, and business leaders, and international organizations present in the country offer at least some insight into the political and economic situation in Suriname today. At a minimum, this information may serve as the basis for more precise and more extended discussion with political and economic officials when the opportunity arises.

It is clear that the world, the region, and Suriname have changed greatly in the years since the 2001 study. International terrorism, a near collapse of the world economic system, and the first-time-ever penetration of participative communications systems like the Internet and cellular telephones into the most remote populations have increased stresses on traditional governments and awakened, at least to some degree, new participants in the process of self-government.

On a regional level, the past decade has seen a rise of “bottom up” democracy in Venezuela, Bolivia, Ecuador, Nicaragua, Paraguay, Brazil, and other nations in Central and South America. Often misinterpreted as a shift to the ideological left, this movement is increasing governmental participation by citizens sometimes abandoned on the sidelines of public administration for more than 500 years.

A clear threat to long-established oligarchies, this paradigm change has immediate application in Suriname, not only because of the country’s most recent history of violence in the 1980s, but also because the coming election may open the way for a former nationalist dictator to regain power. Thus, in many ways, the old “rules of the game” are changing.

Even modest investigation into the political and economic situation in Suriname points up three matters of potential importance:

- National elections are to be held this month
- Major Dutch investment in the nation is to be cut back this year
- Civic participation, particularly by minority groups, and questions of land and mineral rights ownership are moving to the fore in public debate.
Without an opportunity to speak with political leaders, it is impossible to estimate what may happen in the election. In conversations with a variety of interviewees, those already inclined to support the present coalition government seemed relatively confident that it would be returned to power. On the other hand, those not included in the present coalition were more likely to assume that a significant change in power would occur, perhaps bringing a former dictator into power once again.

The current government has lost the formal support of two coalition membership groups, either because they intend to work for a power shift or because they want to improve their negotiating position within the coalition. Alternative leadership to the current government appears to be in relatively short supply, making the former dictator a potentially attractive opposition choice.

In any event, the election, and the several months of coalition negotiation likely to flow from it, could have enormous impact on the political and economic future of the nation. From the standpoint of the IADB the matter is potentially serious since some number of the newer administrations in Latin America have moved to reduce or cancel outstanding loans made to prior governments on the grounds that the funds were used illegally and therefore need not be repaid. While this may be a questionable legal position, it at a minimum tends to delay payment well beyond previously established due dates.

As it happens, this same year will see the end of a substantial series of payments from the former Dutch colonists in support of an independent Suriname. There appears to be widespread agreement that this does not mean Dutch abandonment of the country, in which it has substantial investments, but rather a re-opened negotiation for support on a newer, and probably more reduced, basis. It seems clear, however, that the current Surinamese government is not well positioned financially and any cut in support will be felt both in the government and in the general population. From the standpoint of the IADB this also has potential to impact its operation in the country in that it can be anticipated that Suriname will attempt to make up losses in Dutch economic support by making greater demands on international aid mechanisms.
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Finally, if these political and economic difficulties were not enough, a maroon tribe has just won an international court judgment from the Inter-American Human Rights System granting it ownership (and mineral rights) in a substantial portion of national territory. It seems highly likely that other maroon and Amerindian communities will bring similar legal action thereby bringing into question not only basic questions of land ownership for a significant part of the nation, but a direct threat to the single most important source of Surinamese income: mining. This presents what could become a disruptive racial question for a delicately balanced inter-racial society, throwing years of progress in racial group harmony (if not individual integration) out the window. Obviously, a contribution system to the national income needs to be explored, bringing up the old matter of national identities vis-a-vis tribal and ethnic identities. Best practices from other regions should be assessed and considered to develop a Surinamese model in order to maintain the Surinamese peaceful coexistence.

To make the matter even more complex, the mining operations now underway in the case of gold are only partially in the hands of legitimate firms. Brazilian independent miners have crossed the Surinamese border in many cases and are operating “pirate” mining operations (sometimes in cooperation with local maroon or Amerindian tribes) without any regard for ecological protection, taxes, or legal rights.

What is clear is that “formula” responses to these situations, tried and tested perhaps in other societies, are not necessarily the answer for a unique Suriname. Failure to understand and apply a democratic governmental model perhaps somewhat different than that traditionally used in Western societies could bring forceful, even violent, reactions to ideas and programs long considered to be a standard part of the institutional structure of a successful democracy.

This point is applicable, for instance, to the proposed IADB decentralization program as described in the loan proposal for the project.

One of the requirements for the present study is a presentation of how laws, organizational structure, installed capacity, formal and informal practices, rules of the game, and infra-institutional framework are used to protect and advance particular
interests. The decentralization project provides an excellent example for this presentation.

The IADB proposal describes an extension of the current governmental form, with all of the weaknesses noted in that form, in a top-down process from national to local governmental levels.

First, conversations with leaders in the maroon and Amerindian community make it clear that the local government organizational structure as proposed fits Western tradition, and the old Dutch model of government, but does not respond to the different more communal organizational thought processes of the maroon and Amerindian communities. While these clearly are minority groups within the Western-oriented political leadership of the nation, deliberately imposing an uncongenial organizational process on these groups is asking for future governmental trouble.

Western society is well-attuned to a calendar and hourly-based meeting schedule for representatives of different groups interested in a project; but both the maroon and Amerindian groups are socialized to meetings of an entire group (not representatives) and to discussions of what may seem to Western traditionalists an infinitely long process, sometimes taking days, weeks, or months, to reach a group consensus.

Of course, the maroon and indigenous groups easily might be ignored, but questions such as the Inter-American Court decision awarding land rights to one of the maroon tribes, unclear land and mineral rights ownership, Brazilian gold miners in the informal economy, and more, make this question of organizational thought processes worth some study. This question is treated in greater detail in the section of the study on Civil Society and Indigenous Peoples.

Second, decentralization certainly depends upon the question of installed capacity and formal and informal practices. Unfortunately, It seems highly likely that the establishment of an additional layer of government will increase the level of “installed capacity” in government employment, in spite of the 2001 study’s criticism of a 40% government employment rate.
Given the inability of the national government to gain control over corruption at a national level these kinds of personnel increases have the potential to make corruption more widespread. Indeed, in discussions with one of the decentralization project managers for IADB, there were strong arguments for “open budgeting” making expenditure monitoring even more difficult, not less.

Perhaps most difficult of all is the question of whether Surinamese citizens are well socialized to participate effectively in a local government system. It is easy enough to open the door for greater citizen participation in local government; but it is more difficult to get people to walk through that door and into a personal level of responsibility both unknown and, to some at least, fearsome. In many Latin American societies, perhaps including Suriname, there is at least some worry about becoming an active participant in self-government; a concern that the traditional patron-peon system may disintegrate, causing the loss of the minimal financial support now reaching lower income segments of the society; a preoccupation about self-competence in a new and foreign field of thought and action; a worry over potential embarrassment in front of one’s family, friends, and neighbors.

Thus, in the end, the institutional framework and the rules of the game now installed and proposed for installment at the local governmental level benefit those who already hold power. The likelihood of sharing that power at a lower level seems as remote as the likelihood of creation of a Constitutional Court (which would divide that same power at a higher level.)

Decentralization, however, is but one element in a far more complex political picture. Once interviews can be conducted with political party leaders, and members of the executive, legislative, and judicial branches of government, this section of the study can be expanded.

II. Public Sector Governance (central and local governments)
I. - COMMENTS ON THE CONSTITUTION OF SURINAME AND ITS STATUS OF IMPLEMENTATION.

The Constitution of Suriname reflects the context in which it was drafted in 1986. Although, several amendments were introduced in 1992, political and institutional changes may advise that certain articles are revisited.

The Surinamese Constitution is still influenced by a “first generation” of Constitutions adopted during the 20th century that were largely concerned with proclaiming their national sovereignty after the decolonization. This Constitutions implied homogeneity of the formerly colonized. As a consequence the constitution does not address the rights, or even recognize the existence, of the rights of indigenous groups.

The context in which the Surinamese constitution was drafted and adopted is to be considered when analyzing its flexibility. Art 83 establishes that the Constitution may be amended by 2/3 majorities [of parliament?]. Such a level of flexibility was established because the constitution was a compromised product of the democratic forces that wanted to move on from the former regime. They were at that time aware of the imperfection of a text that was drafted and adopted in a hurry. It was already known then, that the constitution would need to be amended once the democratic system was politically consolidated.

The Constitution, influenced by civil law tradition, has a twofold function, first setting up the state standards and defining the “funding” principles of the State; secondly, defining the institutions of the State and the legislative processes. While this Constitution is rather complete in terms of setting up standards, it is certainly ambiguous regarding legislative procedures, electoral procedure, functioning of the institutions, appointment of President and Vice-president etc. For example, the Constitution does not provide for a legislative or popular vote of non-confidence or an impeachment method.

It would be advisable to review the constitution to amend the text of the necessary provisions.

Additionally, the Constitution should be amended to provide a super majority and a special procedure to amend it.
1. The Constitutional Court

Art 144 of the Surinamese Constitution mandates that a Constitutional Court is set up to:

a. verify the purport of Acts or parts thereof against the Constitution, and against applicable agreements concluded with other states and with international organization;

b. to assess the consistency of decisions of government institutions with one or more of the constitutional rights mentioned in Chapter V

The Constitutional Court has not been set up yet. Analyzing the need and the available resources to the Court has become a matter that should be prioritized as “it affects the checks and balances of the powers”. Legislative and Executive’s decisions are not granted oversight by the Judiciary.

An argument against setting up the Court is lack of resources and available experienced judges to serve the court. A proper assessment on how to conduct the function of the Constitutional Court is needed to decide whether Suriname should make the effort to set up the constitutional Court or whether the High Court should be reinforced to perform the tasks.

2. The Constitution and Natural Resources

The Constitution (Art 41) provides, inter alia, that "Natural riches and resources are property of the nation and that 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."
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With respect to natural resources\(^1\), the constitution’s focus is on establishing these resources as owned by and for the benefit of the country, as opposed to their ownership and exploitation by foreign entities or multinational corporations. In contrast, other constitutions have more often been concerned to resolve internal conflicts and are forced to recognize diversity and heterogeneity.

The political motivations for why disputes over natural resources find Constitutional expression is therefore twofold: first, how natural resources are treated has become a foundational element of the Nation; and second, constitutions themselves are typically intended to protect the core elements of a Nation by preventing them from being changed except by super-majorities and special procedures.

In a recent Judgment, the Inter American Court of Human Rights (IACHR) mandated that the Saramaka should be consulted people, pursuant to their customs and traditions regarding the exploitation of the natural resources\(^2\).

The Court did not only establish the property of the land and the natural resources, but also forced the State of Suriname to recognize the traditional Governance structures of the Saramaka People\(^3\).

In many federal systems, as well as some unitary states responding to demands for local autonomy over natural resources, as in Papua New Guinea, an added complication arises regarding how to resolve potentially competing ownership claims between the national governments and state or provincial governments.

In these cases, simply declaring state ownership of natural resources does not say anything about the right or duty of different levels of government to develop and share the benefit from those resources.

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2 Case of Saramaka People vs. Suriname

3 See Case of Saramaka People vs. Suriname. Interpretation of the Judgment on preliminary objections, Merits, Reparations and Costs.
As Suriname is undertaking a process of decentralization, the role of the traditional forms of governance and particularly in relation to the administration of natural resources should be assessed and taken into consideration. Best practices from older federations could be an inspiration. For example, Canada gives the administration of natural resources to the provinces. A system for the provinces to contribute to the central State is in turn, necessary.

II.- THE EXECUTIVE AND EFFICIENCY AND TRANSPARENCY ISSUES.

1. - TRANSPARENCY.

Suriname is not a party to the UN Convention Against Corruption. Suriname is, however, a signatory of the Inter-American Convention against Corruption and it is party to the Mechanism for Follow-Up on the Implementation of the Inter-American Convention against Corruption (MESICIC), an inter-governmental body established within the framework of the OAS to monitor the implementation and observance of the Convention thought processes of mutual evaluations by the States parties to MESICIC.

Suriname was evaluated by the MESICIC mechanism in 2008. The Committee made recommendations to the country regarding the following:

- The inadequacy of the legal framework regarding the recruitment of civil servants
- The procurement of goods
- The legal framework regarding the criminalization of corruption acts.
- The protection of civil servant that may denounce a corruption incident

In an interview with the OAS representative, we were informed that Government will organize a workshop on the implementation of the recommendations under the auspices of the OAS.

Transparency International ranks Suriname 72 of 180 in its 2008 corruption perception index and 75 of 180 in the corruption perception index in 2009.

Suriname is ranked 146 of 181 in the World’s Bank’s 2009 ease of doing business
survey. This compares to a ranking of 141 in the previous year’s survey.

2. - INVESTMENT LEGISLATION.

Suriname has not adopted national legislation on Investment. This legal framework is of particular importance to prevent transparency incidents. Additionally, future investors would benefit from established standards and conditions of investment in Suriname according to the rule of law, rather than conditions imposed ad hoc, without coherence between the different Ministries.

3. - PROCUREMENT OF GOODS AND SERVICES

The only legal framework applicable to procurement is “the 1953 accountability regulation” Procurement is carried out on needs/ad hoc basis. Each Ministry carries out the procurement deemed necessary within their portfolio. The Minister him/herself oversees awards the contracts regardless of the amount committed.

There seems to be no alignment between budgets and needs. Ad hoc procurement, without pre-established regulation, opens for transparency risks as well as for issues regarding quality and pricing and allocation of contracts.

IDB granted a loan to the Government on “Public Sector Reform Management” which contains a component of reforming the Procurement system. Although other sectors have been reformed, nothing has been done, so far, regarding procurement.

IDB plans to carry out a project on capacity development on procurement. Currently, IDB organizes monthly seminars on particular topics such as arbitration.

III. - THE JUDICIARY SYSTEM: STRENGTHENING THE LEGAL SYSTEM

The information obtained is limited as relevant interlocutors from the Ministry of Justice and Police were not available to be interviewed.

4 Need to double check the name of this law.
The Government made a great deal of effort to overcome some of the shortcomings of the Judiciary System. Delays in the conclusion of cases have been shortened.

The number of judges is still limited, forcing the existing ones to long hours and with many cases at a time. Judges have little time to explain their decisions. Explanations are often done orally in the court room, but are not included in the written judgments. This creates difficulties in the security of the judgments and in preparing an appeal. Additionally, it means that precedents may not be fully recorded; therefore the precedent body and the practice of the courts are missing as part of the legal tradition of Suriname.

Ten new judges are accepted every 5 years. Ten new judges were appointed in 2005. The system is such that the newly accepted judges then proceed to 5 years training by performing different legal tasks in the Ministry of Justice and Police (judges’ clerks.). Five years later, those that passed all the evaluations are appointed to the bench. The system ensures that fully qualified judges are appointed. However, the system is slow. An alternative solution could be to appoint “ad litem” judges amongst well-reputed jurists until enough permanent judges have been appointed.

It was noted that the process for acceptance as a member of the judiciary is not transparent. It consists of an interview before a judiciary committee. The questions that applicants receive might not be as professional and objective as required.

Although there is no system of continuous education, Judges and Prosecutors do receive seminars on Legislation.

In an interview with lawyers, it was brought up the difficulties that the lawyers may have to access evidence in criminal cases. Police are in charge of the investigation. Reporting to the prosecution, police seem to be eager to do the investigation to facilitate the prosecution, limiting the defense access to evidence. (NOTE: this will need to be cross checked in an interview with Prosecutors and police that has not taken place yet).
1. **Legal Aid and Pro Bono Lawyers.**

The Ministry of Justice and Police has improved the economic condition of Pro Bono Lawyers since 2001. In 2001, a pro bono lawyer would receive a maximum of 25 SRD for a complete case. In 2010, the amount has been increased to 250 SRD. The amount is still insufficient, particularly, in complicated cases. Lawyers may need to travel to collect their evidence, meet their witnesses etc.

The Bar Association has presented a proposal to the IDB to improve legal defense. Training for the Bar Association is on hold due to budget constraints.

2. **Outreach Programme on the Constitution and Citizens Rights. Access to Justice.**

Citizens generally could benefit for a better knowledge of the Constitution and their rights in general. Citizens are not aware of their rights and are not familiar with legal proceedings. UNDP carried out a project that has components of public legal education and dissemination of legal documents.

However, these are aspects that need to be reinforced, particularly taking into consideration the traditional systems of dispute resolution.

Additionally, the fact that the judiciary system is based in Paramaribo constitutes a geographical limitation to access justice for the peoples of the interior, who are forced thereby to travel to Paramaribo either bring their cases to justice or to participate in legal proceedings.

In these conditions, assessing the role that the traditional justice systems play and their complementarily with the national justice system becomes of crucial importance.
LOCAL GOVERNMENT AND THE DECENTRALIZATION PROCESS

The lack of an efficient, effective and functioning decentralization system is likely the primary reason for the overpopulation of the capital city of Paramaribo.

Local government structures did not exist in Suriname prior to the 1980s, when the government established political representation at the local level in ten districts and 62 sub-districts. In 1987, the revised Constitution defined, for the first time, districts as an official level of government. Later, the 1989 Act on Regional Institutions expanded upon the general provisions laid out in the Constitution and defined the functions and responsibilities of district governments. The Act was designed to empower district governments to assume the direct initiative and accountability for basic fiscal functions (budgeting, planning and revenue generation), as well as to assume responsibility for the delivery of core public services. However, by 2001 basic elements of fiscal self-management were still absent. In this context, the Inter-American Development Bank supported the Government of Suriname with a loan identified as the "Decentralization and Local Government Strengthening Program" (DLGP).

The empowerment of the district councils is mainly implemented through the DLGP. DLGP was designed to facilitate the implementation of the 1989 Act on Regional Institutions through strengthening the capacity of local government efforts to eventually achieve fiscal self-management, develop local investment skills, and generate revenue with citizens' participation.

Interviews carried out during our mission to Suriname show that the process of decentralization has not progressed sufficiently in certain areas and have shown that the program's methodology needs to be revisited. Suriname is a country where two systems – the official governmental system and the traditional system – exist in parallel. Decentralization programs, however, have focused only on the former, leaving the traditional system completely outside the process. There is an urgent need for attention, both generally and, particularly with regard to decentralization, to the existence of Indigenous Peoples, Maroons and other tribal societies. Their participation is crucial to
the complete success of a democratic decentralized system in Suriname, where all interests are taken into consideration.

The final report will identify, in detail, the gaps and shortcomings of the DLGP. This interim, draft report will provide a preliminary sense of the recommendations (and case studies on which the recommendations are based) that will be made in order to improve and strengthen the decentralization process.

- The DGLP appears to be built on a **hierarchical structure** through which the decentralization process is intended to take place, *i.e.*, a classic “top-down approach.” The DGLP started with the central government, but it did not include, educate, or otherwise inform people outside the government – particularly in local communities – about the program, its methodology and its overall goals. Without the understanding and buy-in of ordinary citizens, no decentralization process can succeed.

- **Poor communication** between the central and the local governments; the local government and the people; the local government and the traditional authorities and tribe communities. The relationships between the co-existent systems of governance are complex, overlapping and often frustrating. However, without regular and effective communication there is a tendency for miscommunication, misinformation and, as a result, mistrust. Regular means of communication between each of these “systems” must be developed and, where they already exist, regularized and improved.

- **Traditional authorities have not been recognized** in the decentralization process, despite the fact that they are respected by district councils, sometimes consulted on local matters, and paid a salary or small stipend by the central government (SRD 400/month). To improve the DGLP, the historical rights and authorities of these tribal communities and their leaders must, at the very least, be formally considered as part of the decentralization process. In particular, Indigenous and Maroon communities in the country’s interior have many of their own traditional governance processes developed over centuries; the DGLP
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should incorporate these communities and their systems of government in its program of work.

- **Only two ministries are involved** in the complex process of decentralization: the Ministries of Regional Development and Finance. The Ministry of Regional Development oversees local governments and manages the relationship between the districts and the central government. The Ministry of Finance approves district budgets. While these two ministries are vitally important to the process of decentralization, their work touches on the areas of responsibility of a number of other ministries – few of which have been brought into the process. For instance, a district plan may include an electrification plan, but the Ministry of Energy is not consulted as the Ministries of Regional Development and Finance review the district’s plan. Accordingly, there does not appear to be broad central government-wide engagement in the decentralization process.

- There is **no connection made between the national plan and district plans** making it difficult for central government approval of needs identified at the local level and included in the district plan. In other words, there does not appear to be any strategic (short-, medium-, or long-term) coordination over development plans. Clearly, the national plan should be considered when preparing local plans and budgets and the citizens should be informed about it. This lack of correlation creates confusion and anger at the local level, as citizens do not understand why the central government refuses to fund their priority programs. If there is greater coordination between the district and central governments, it would lead to better district plans that are more likely to be funded and a more informed citizenry.

- **Lack of participation or consultation** of district councils in the formulation of the national development plan. The Constitution of Suriname provides for the participation of members of the district councils in the formulation of national development plans. However, according to two District Commissioners interviewed, this provision has not been exercised since 2001.
- **Resources at the district level are minimal** and depend substantially on central government transfers. Although district funds have been established in the five certified districts of DLGP Phase I, the funds collected from taxes revenues are low, in part due to weak enforcement and the low level of revenue obtained from land lease and other taxes.

- **Weak citizen participation** in the DLGP process. The DLGP established public participation as one of the pillars of the process. However, in practice, participation to date has been very weak. Annual hearings have taken place at the ressort level to discuss ressort plans to be submitted to the district. According to interviews conducted, these hearings have not been well-attended nor have they been representative of all sectors of Surinamese society, in particular Indigenous Peoples and Maroons.

DLGP’s Managing Director indicated that “an average of 35 out of 1,000 people participate in the hearings; sometimes nobody.” It is a systemic problem. For the decentralization to be successful, the structure needs to be improved in order to encourage the participation of local people. In the case of Indigenous Peoples and Maroons, there appears to be a lack of understanding for their culture. These tribal societies have other cultural institutions and ways of making decisions; there is no connection between what they discuss and decide in their “krutu” and what is discussed during these district hearings. Also, Maroons and Indigenous Peoples have a distinctive decision-making process. As one interlocutor stated, “Decisions are taken first collectively at community level and then the leader agrees, but only when everybody understands and agrees.” Accordingly, in order for the DLGP to be successful in obtaining the participation of these people, work needs to be done to bridge the social and cultural gap between “Western” decision-making processes, such as those undertaken by the government with DLGP support, and traditional processes more familiar to the Maroons and Indigenous Peoples of Suriname’s interior.
- Ordinary people do not seem to be interested in participating in the various mechanisms established to engage in the decentralization process. Interlocutors have identified a number of different reasons for this phenomenon:
  
  o Lack of information – no clear “invitation” or knowledge of the opportunities to participate

  o No tradition of participation - people need to be educated to create awareness about the decentralization process, how it can benefit them, and, therefore, why they should participate.

  o In the old structure “patron-peon,” everything was taken care of by the “patron”; this old way of thinking still exists for many.

  o Connection with the district is not strong in part due to poor infrastructure (roads) or poor or non-existent channels of communication (television, radio, Internet).

- Continuous need for training and coaching. While DLGP’s Managing Director says the process is providing continuous training and coaching within the new local level structure and producing manuals for each sector to create sustainability, training continues to be necessary at the community level, especially among native communities. As per our conversation with the Indigenous Chief of Galibi and Christiaanhondre (District of Marowijne) and chair of VIDS⁵, since the DLGP started, Maroon and Indigenous authorities have only been invited to participate in one training session, in 2008. The aim of the two-day training was to share the social problems traditional authorities have and how they solve it. Also, traditional authorities were taught how to draft proposals to raise their own money. The training spoke neither about the decentralization process nor did it have much impact due to its short duration and lack of continuity.

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⁵ Vereniging van Inheemse Dorpshoofden in Suriname (Association of Indigenous Village Leaders in Suriname).
- The decentralization process will require an **attitude of change** that must overcome deep historical and traditional roots. Change must start with a broader effort at education, possibly within the schools where the process and its goals can be introduced to the youth who, in turn, will educate their families, their peers and others.

DLGP Phase II appears to be moving slower due to the elections scheduled to take place this year. After the elections and a government is formed, we hope that progress can continue. However, for the process to have greater success, the mechanisms through which citizen participation is ensured need to be reconsidered. A new culture of participation needs to be established in a country with a long history where citizens had no participation in “official” governance structures. There is a need for a more continuous and participatory/effective process of participation, and for a better understanding of traditional authorities and the functioning of the different decision-making process (meetings with the entire community; meeting after meeting until consensus is reached); the cultural differences need to be understood while engaging Indigenous Peoples and Maroons.

Moreover, a link between the “official” and the “traditional” systems needs to be established. One solution to improve participation of Indigenous Peoples and Maroons might be to empower communities to organize their own meetings on issues that will be discussed at the district level, then when the communities agree and reach consensus, they are, in turn, represented at the “official” district hearings through their leaders.

Broad participation in these processes is expensive, however. The development of information and communication technologies (ICT) in the country, particularly in the interior, would be a useful tool to help citizens access to information, improve communication between all stakeholders - including between government institutions – as well as improve efficiency and increase transparency of government.

As Sharda Ganga, President of the Women Parliament Forum said in an interview last week: “Participation is a capacity. It is hard to get people participate in a country where...
there is not a culture of participation… What’s the point to empower voices that are not heard?”

III. Land Policy Governance

Land policy is one of the most significant challenges for the Republic of Suriname at this time. Over the years, issues relating to ownership, title, and rights to land continually have been pushed forward to “later” by political leaders who have been either unable, or unwilling, to address these complicated, contentious themes. Without attempts to meet these challenges through compromise and creative solutions, Suriname will continue to be unable to progress further in its economic and social development.

When discussing land issues in Suriname, two systems need to be taken into consideration:

- Land rights obtained through the “formal” legal and political system; and
- Land rights obtained according to the law, history and traditions of the Indigenous and Maroons.

Surinamese land rights are laid out in the L-Decrees of 1982. The basis for the L-Decrees is the so-called domain principle (domeinbeginsel) (art. 1, Decreet Beginselen Grondbeleid). This principle establishes that all land that cannot be shown to belong to someone else belongs to the State. Since the introduction of the L-Decrees, the only title that can be obtained on property held by the State (i.e., all land to which no one else can show title) is that of land lease (grondhuur), which is valid for a period between 15 and 40 years with an option to renew. Although the law allows for the possibility for the state to transfer full ownership of land, over 30 years after the passage of the L-Decrees, the implementation regulations to implement his provision are still not in place. Accordingly, only leases have been provided to tenants. People who can show they

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6 Article 1 of the 1982 Decree Principles of Land Policy, Suriname’s primary land legislation, provides that “all land to which others shave not proven ownership rights, belongs to the domain of the State”.

have title to land are the rightful owners of the surface but not to the subsoil resources. Under Surinamese law, all natural resources are the property of the State.

Surinamese law does not recognize and protect the traditional land tenure systems of Indigenous Peoples and Maroons, or their special relationship with the forest.

Suriname is home to four groups of Indigenous Peoples (approx. 2.7 percent of the population) and six Maroon tribal societies (approx. 11.4 percent of the population). The land forms part of the essence of these peoples: not only does it include natural resources that give them sustenance, but it is also their natural habitat, to which they are united by a series of cultural and spiritual values that give them their meaning, affirm their identity, and guide their lives.

Indigenous peoples and Maroons hold their lands, territories and resources collectively in accordance with their traditional or customary land tenure systems. They assign user rights to land and mineral resources based on group, clan, and family membership. These tribal laws and regulations are known to all members of the ethnic group and generally respected.

However, whereas historic treaties with colonial rulers acknowledged the rights of Indigenous Peoples and Maroons and provided them with certain tenure security (hardly contested as long as there was little state interest for industrial development of the interior), neither the Constitution of Suriname nor other laws adopted by the central government recognize the existence of ethnic groups that can claim special rights on the basis of their historically and culturally distinct status.

Land rights in Suriname are established under the L-Decrees of 1982 and are based on the principle that all land that cannot be shown to belong to someone else belongs to the state of Suriname. Indigenous Peoples and Maroons, like other Surinamese citizens, have the right to apply for individual titles in the form of land lease (groundhuur) under the L-Decrees for a maximum period of 40 years, which can be revoked by the Minister of Natural Resources if the annual fee is not paid in time or the land is not used in accordance to the request. With the exception of a number of Maroons living in the capital city of Paramaribo, 80 percent of the indigenous communities have rejected this
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title and claimed recognition of their traditional, communal rights. In contrast to statutory law, customary law does not recognize the concept of private ownership of land. The traditional system of usufruct rights allows individuals to use the land, but it is the community as a group that exercises the “legal” right to the land under this system.

Other Surinamese laws do recognize the existence of traditional societies and respect for their livelihoods, but actual interpretation and application is arbitrarily and inconsistently applied in practice. Moreover, there is no institution to which Indigenous Peoples and Maroons can appeal if their rights are not respected or are violated. Tribal groups as such are not considered to have legal personality and, therefore, cannot, as a community, pursue a claim in the judicial system.

Since the Surinamese legal system does not provide protection for Indigenous Peoples and Maroons as communities, some have sought justice at the international level, in particular, before the Inter-American Human Rights System. Most recently, in the Moiwana case and the case of the 12 Saramacca clans, the Inter-American Court of Human Rights ruled in favor of the communities. Two additional cases are pending before the Court.

Moreover, Indigenous peoples and Maroons have to date been unable to advance their claims to land rights through the Surinamese political system credibly or effectively. Although Maroons have some measure of political representation (the A-Combination), this applies mostly to the urban Maroon population in Paramaribo; it seems that Maroon tribal societies have tended to gravitate toward more extremist parties, such as the National Democratic Party or NDP [Desire BOUTERSE], for recourse.

In Paramaribo, there also appears to be a general lack of respect and willingness to understand the traditional culture of Indigenous People and Maroons. Accordingly, many consider that historic rights are not enough to recognize any collective rights to land, and they see it as granting special treatment to an ethnic minority in a country where multiple ethnicities coexist.

Meetings conducted during this week indicate that the central government of Suriname has not seen resolution of these issues as a policy priority. In particular, the
government appears reluctant to move forward to address any issues regarding the status of the land on which Indigenous Peoples and Maroons reside, especially in this pre-electoral period where certain discussions are left for after the elections.

It appears Indigenous Peoples and Maroons are increasingly pressing for change. They have sent petitions, organized meetings in tribal communities and mapped their territories. Since 2000, they have been researching their historic roots and occupancy patterns; the role of their traditional authorities; the functioning of their people, etc., all to learn how to manage and demark their territory. This information has been shared with the government, but authorities have not included it in the demarcation process.

Greater flexibility in negotiations is needed – in particular, a proactive and open approach by the government instead of a reactive, defensive approach. Discussions when talking about land should be based on principles, for instance, on the recognition of indigenous people as such, not as a different and minority group which should change their culture, tradition and way of living and adapt to the Surinamese political system. Constructive dialogue will require that both parties abandon extreme positions and find a common ground to develop a land rights policy acceptable to all parties and that stimulates responsible and sustainable development, which at the same time incorporates respect for the culture and livelihoods of traditional communities.

As indicated above, some communities have taken the issue to an international level by filing complaints before the Inter-American Human Rights System, increasing national and international political awareness of the land rights issue in their societies. The Saramacca and the Moiwana cases have created precedent in the country for other villages and communities. As such, Suriname has been singled out in a negative way within the international system. In addition, in the past two decades, various international organizations - including the United Nations, the International Labour Organization, and the Organization of American States - have called upon countries to recognize the special rights of Indigenous and Tribal groups. Under these declarations, governments have been called upon to make an effort to resolve key issues concerning the Indigenous groups in their countries and respect their rights to land and resources. To ignore these declarations as well as other recent development in the international
human rights movement harms the international reputation of Suriname and foments discontent within the country, potentially resulting in future conflict. In the final report, several important lessons will be extracted from experiences in other countries in the region in addressing these important issues.

On the positive side, politicians have shown growing awareness of Indigenous and Maroon customary rights in the past few years, such as the stipend provided to traditional authorities (SRD 400/month) and the activities of the Foundation of Forest Management (Stichting Bosbeheer & Bostoezicht) which advises the Minister of Natural Resources on the allocation of logging concessions. The work of the Foundation is focused on discouraging the allocation of concessions that overlap with Indigenous and Maroons villages. Although these efforts are laudable, they do not extend to providing a predictable, legal framework for the protection of the rights of Indigenous Peoples and Maroon tribal communities. Such a framework is necessary to ensure these communities are not ignored and disadvantaged in national development schemes or wholly reliant on the goodwill of political powers or multinational companies.

Suriname’s economy is dominated by the mining industry. Apart from large-mining concessions, there is an increase in illegal small-scale mining, and a large emigration - particularly from Brazil and French Guyana – which has encouraged the establishment of temporary cities with different customs, languages and social structures. These developments have accelerated in recent years and pose a threat to the continued existence of local community culture and tradition.

Moreover, the lack of the technology necessary to implement a land titling system in Suriname exacerbates issues regarding rights to land. Without a system that can effectively and predictably identifies land demarcation, errors are duplicated and land titles overlap, a particularly delicate topic when logging or mining concessions are concerned. Many tribal communities are located in or on the edge of existing concessions granted to logging or mining companies – who are often granted the concession without the knowledge or the consent of the land’s inhabitants. This problem is due largely to precarious system of issuing titles currently used by the office in charge of land titles or Domain Kantoor.
Although Suriname has acknowledged the importance of developing its ICT sector, no concrete national strategy has surfaced. Nevertheless, government-wide initiatives in respect of ICT have been undertaken in the past and some important new ones are underway now, such as GLIS, the Digitalization of the Land Management System in Suriname. Under GLIS, all land that has been issued by the government is put into a database to ensure that property owners have property registered. Previously, Suriname did not even have a map of the entire country.

GLIS has two phases; phase I started in 2003 with the demarcation of all coastal land, which has already been implemented. Phase II is focused on the interior. In two years, GLIS hopes to have created a topographic map of Suriname. From a cadastral system, GLIS has proceeded to provide detailed information on land use and spatial data, particularly important in the interior and related to the Indigenous Peoples and Maroons collective lands. GLIS will now be able to identify all existent communities, roads, buildings, water and electricity, etc., as well as all economic activities related to the land, up to five meters of precision. GLIS is regulated by law approved at the National Assembly on 2005, where the creation of an institute is foreseen by the end of this year. The institute will be an autonomous institution that will coordinate all agencies and institutions that do work related to land, such as the Registry of Property (Domain Kantoor), Mortgage Office (Hypoteek Kantoor), the Forest Management Foundation (Stichting Bosbeheer & Bostoezicht), etc., including utility companies (water, electricity). GLIS also aims to increase the efficiency of these organizations. For instance, the Domain Kantoor takes an average of six months to issue title to land (it can extend from 3 months to 5 years, if there are complications), the maximum time established by the law for the government to respond to a petition. Under GLIS, the average time for the issuance of title is expected to be three months.

To implement Phase II, GLIS has signed an agreement with The Amazon Conservation Team and trained them in the use of GPS to create maps demarcating indigenous territories. These maps have been created detailing all economic activities in collective indigenous lands. The challenge will now be to see how these maps will be used and how Indigenous Peoples and Maroons will be involved in the process. One concern is
that the interests of indigenous communities, such as the right to participate in decision making, have often not been taken into account in similar processes. It will be important for the government – and GLIS – to include them in this process as it goes forward.

Coordination among certain agencies and the updating of data will be crucial for the success of GLIS. Once the map is completed, GLIS staff will have to train all staff of the agencies connected to the system, quite a challenge given the low skill level of many of government staff in Suriname. GLIS has started some training after installing some computers in the *Domain Kantoor*, without a lot of success yet.

Other issues will be discussed in the final report, including the problems related to the occupation of lands in the capital city of Paramaribo by migrants coming from the interior.

Some preliminary recommendations:

- Land rights needs to become a priority for government, and it will need to develop a more coherent, long-term vision in collaboration with the Indigenous Peoples and Maroons societies.

- It will be important to sensitize the government and the general public on the importance of preserving historic rights and traditions. National awareness campaigns to help educate politicians and Suriname citizens on the importance that land plays to the cultural, economic and social survival of Indigenous peoples and Maroons as well as on the need of for its preservation are necessary.

- Similar sensitization and educational programs need to be incorporated into the work of international donors. While many recognize the importance of consulting Indigenous People and Maroons communities when implementing their projects, they pay little attention to the promotion and protection of the human rights of these peoples. Moreover, international donors need to ensure that consultation with, and the full participation of, native communities takes place in a participatory and realistic manner, with respect for traditional practices.
- Since Suriname is not the only country struggling with the issue of land rights, the country would benefit from the successful experiences of other countries facing similar issues, in particular through financial and technical support from international organizations designed to apply these best practices in Suriname.

- Although the UN and the OAS have drafted and adopted declarations aimed specifically at the protection of indigenous peoples, they have not been widely applied in practice, particularly in Suriname. The government should look to these documents and institutions for guidance and assistance in developing law and policy to ensure their full implementation in Suriname.

- It would be a significant step forward if the new elected government takes measures to ensure the implementation of treaties to which Suriname is a party, particularly those relevant to the rights of Indigenous Peoples and Maroons.

- Indigenous People and Maroons need an umbrella political or civil society organization that represents both communities’ interests and that can effectively advocate their interests in negotiations with the government. Although such an organization exists, it has had little success in being effective.

**IV. Civil Society and Indigenous Peoples in Governance Processes**

There are two separate political cultures in Suriname – one hierarchical, one communal – separate and unequal. The State operates in the hierarchical structure favored by Western culture inherited from colonial times; the indigenous people in a communal approach to decision-making that has evolved over centuries and was in place long before colonialism.

Both are fair within their spheres; and, both can operate in concert with the proper approach. But in Suriname the two cultures, while using the same words, currently talk past one another. The result is a stalemate – a challenge for all, but in particular for the native and indigenous people as well as for civil society.
That is the take-away from discussions with a number of interested parties in Suriname. These discussions occurred in May 2010 and were based on an analysis of the status of recommendations – even court orders – that have been generated since the notable “Governance in Suriname” Report of April 2001.

There appears to be little attempt to implement the recommendations. Neither is there a sense that the State has an interest in addressing either the court orders or the recommendations any time soon. That may change following the election to be held in late May 2010, but for the moment the country is making little headway in dealing with the various issues raised by the reports and Court order.

The answer does lie in the process of devolution; and, there are attempts underway to implement what is called a “grassroots” approach to decentralization. But to date those attempts have had limited, if any, success. That is because to succeed in this process requires having in place a couple of preconditions:

1. A willingness of those in power to truly be willing to allow that power to devolve – which means a willingness to decentralize and share the power that goes with both responsibility and authority for the implementation of decisions made at the local level. At the moment, the process is for devolution of responsibility without co-equal authority.

2. Recognition by those in power that the State can acknowledge full rights of ownership without giving up the State’s inherent right to regulate the disposition of those rights.

3. A trust in the process. So far the record is one in which limited citizen participation has resulted in a frustration from non-responsiveness, hardly a harbinger of trust.

4. A sense that the approach has been limited entirely to a hierarchical approach favored by those in power. No real attempt has been made to understand that the process is truly one practiced by those who believe in a communal approach.
to decision-making; or, to seek the engagement of indigenous people in the process of teaching others how to approach decentralization.

5. People who truly understand both the process and how to implement it. Only a few seem to understand the process, but they are part of NGOs not at the table when decisions are made for implementation of decentralization – and even they could benefit from additional training to supplement their intuitive approach.

6. An understanding that in a democracy the ultimate judgment is not whether the State responds to the majority – who after all have the power to control any outcome – but whether the majority responds to the needs of the minority, a challenging quest in any society, but one worth pursuing.

Hence, we know there is a way out of the impasse. It is doable because there are people of good will on both sides of the divide who want the nation to succeed. Toward that end we have made recommendations. They come from several sources. They include ideas obtained from Surinamese people deeply engaged in the process on a day-to-day basis. They also include ideas based on the experiences and best practices of others.

Combined we believe they represent suggestions for ways to bridge both the conceptual and communications gap between those who espouse a hierarchical approach and those who operate in a communal mode. It is a bridge worth crossing to achieve true nation building.

This report will examine the recommendations and the court orders made to date and the status of their implementation. We will then offer recommendations for moving forward on the decentralization process to assure all that it is both fair and inclusive when it comes to bridging the current cultural divide.

PREVIOUS RECOMMENDATIONS & COURT ORDERS

RECOMMENDATIONS FOR MOVING FORWARD WITH DECENTRALIZATION
CONCLUSION

Clearly, team members have come to conclusions based on one of most important governance realities existent in Suriname: the creation of constitutions and laws does not necessarily lead to equitable government. What is unheard in the paper to this point is the voice of the government, legitimately elected, ruling with apparent success, and clearly interested in improving the future of the nation. It is inevitable, therefore, that the team suggests additional on-the-ground research, via interview and document collection, before producing a final report.

In order to avoid a repetition of time wasted in the first visits, however, it seems to us that:

1. The team must submit an updated list of interviews needed and documents required.
2. IADB, and any other local advisors or consultants, must be able to arrange a minimum of four confirmed meetings each day, twenty in all (spaced to offer time for each meeting and travel time in-between.) NOTE: It is not necessary that more than one team member attend each meeting, therefore there is room for at least forty meetings over the five-day period.
3. These meetings should be confirmed, in writing, by IADB, to the person being met, copy to the team, BEFORE travel plans are instituted.
4. While it would be ideal for all four team members to return, each of whom covers a piece of the puzzle under definition, it may be that budgetary restrictions prohibit. In that case, it seems reasonable to suggest that Murphine and Molina at a minimum are needed, for five working days each (travel on weekends.) As the draft shows, many political and national governmental questions still remain in the air.