2025 No. 53

OFFICIAL GAZETTE
OF THE
REPUBLIC OF SURINAME

STATE DECREE of April 23, 2025, implementing Article 2 paragraph 1 and Article 4a paragraph 4 of the International Sanctions Act (Official Gazette 2014 no. 54, as last amended by Official Gazette 2024 no. 100).
(Decree Implementing the National Sanctions List 2025)

THE PRESIDENT OF THE REPUBLIC OF SURINAME,

Considering, that - for the implementation of Article 2 paragraph 1 and Article 4a paragraph 4 of the International Sanctions Act (Official Gazette 2014 no. 54, as last amended by Official Gazette 2024 no. 100) – it is necessary to establish the following;

Having heard the Council of State, has decreed the following State Decree prepared by the Council of Ministers:

Article 1

For the purposes of this State Decree or regulations issued under it, the following definitions shall apply:

a. funds: all financial assets and economic benefits of any kind, whether corporeal or incorporeal, tangible or intangible, movable or immovable, however acquired, and legal documents or instruments in any form, including electronic or digital, evidencing title to or interest in such assets; this shall include, but not be limited to, financial assets, economic resources (including oil and other natural resources), property of every kind, whether tangible or intangible, movable or immovable, however acquired, as well as legal documents or instruments in any form, including electronic or digital, evidencing title to or interest in such funds or other assets, including, but not limited to, bank credits, travellers' cheques, bank cheques, money orders, shares, securities, bonds, drafts, or letters of credit, and any interest, dividends or other income on or value accruing from or generated by such funds or other assets, and any other assets which may be used to obtain funds, goods or services, evidence of an interest in funds or financial resources and any other export-financing credit; funds shall also include registered goods, as registered in all designated public registers;

b. reasonable grounds or reasonable basis:

1. the initiation of an investigation or prosecution by the competent authority for the commission, co-commission, or complicity in a terrorist act or an attempted terrorist act, as well as the preparation, facilitation, or aiding and abetting of a terrorist act;
2. a conviction for the aforementioned facts;
3. an official report from the Directorate of National Security or a legally established Intelligence or Security Service to the Ministry of Foreign Affairs, International Business and International Cooperation containing credible indications or sufficient facts or circumstances of involvement in a terrorist act or activity or an attempted terrorist act or activity, or participation in or the facilitation of such an act or activity, or any involvement in promoting, encouraging, or recruiting for terrorist acts or activities or an attempted terrorist act.

Article 2

1. The Minister is responsible for the management of the national sanctions list as referred to in Article 4a paragraph 4 of the International Sanctions Act and grants authority to the Council to maintain the aforementioned sanctions list.

2. The Minister, after consulting the Council, may proceed to place natural or legal persons or other legal constructions on the national sanctions list if reasonable grounds or a reasonable basis exist for doing so.

3. At the request of another State, the Minister, after consulting the Council, may, if it has been sufficiently demonstrated that reasonable grounds or a reasonable basis exist, proceed to place natural or legal persons or other legal constructions on the national sanctions list.

4. The Minister, after consulting the Council, may nominate natural or legal persons or other legal constructions to another State for placement on the national sanctions list of the relevant State.

5. Natural persons shall be described using all known aliases and pseudonyms, which shall also be described in the original documents, including the titles and functions/professions held, the usual date and place of birth, as well as alternative dates and places of birth, all current and former nationalities. All personal identification numbers, as included in the passport/travel document, identification card, driver's license, as well as all current and former correspondence addresses and residential addresses, both permanent and temporary, as well as other relevant information for the identification of the individual.

6. Legal persons or other legal constructions shall be described using the statutory name as well as the trade name and any acronyms used, also mentioned in the original documents, including all known aliases and pseudonyms, the addresses of establishment,

incorporation, correspondence, including those of their branches and subsidiaries, as well as other relevant information for identification.

Article 3

The Council shall be responsible for providing information and assistance in individual cases regarding the consultation of the sanctions list as referred to in Article 2 paragraph 1, by service providers and the measures to be taken by them in that context to ensure the freezing of funds of the natural or legal persons or other legal constructions.

Artikel 4

1. All funds present in Suriname that are directly or indirectly owned by natural or legal persons or other legal constructions or to which a natural or legal person or other legal construction as referred to in Article 2 paragraph 1 is otherwise entitled, shall be frozen immediately by everyone without prior notification to the natural or legal person or other legal construction concerned.

2. The freezing referred to in paragraph 1 shall apply mutatis mutandis to:
   a. funds that are directly or indirectly and wholly or jointly owned or controlled by the natural or legal persons or other legal constructions that have been placed on the national sanctions list pursuant to Article 2;

b. funds derived from or generated by funds or other assets owned or controlled by the natural or legal persons or other legal constructions that have been placed on the national sanctions list pursuant to Article 2.

3. It shall be prohibited for anyone to directly or indirectly provide services and perform actions that lead or could reasonably lead to a natural or legal person or other legal construction in any way obtaining access to the funds frozen pursuant to the first and second paragraphs.

4. Anyone holding frozen funds shall immediately take such measures that these funds cannot be transferred, converted, moved, or made available. Anyone holding frozen funds shall immediately notify the Council thereof.

5. It shall be prohibited for anyone, either through a natural or legal person or other legal construction acting as an intermediary or front, or in any other way, to participate in related activities that directly or indirectly aim at or result in circumventing the prohibition referred to in Article 4.

6. Notification of the freezing measure shall be given to the natural or legal person or other legal construction concerned in the same manner as provided for in the Code of Civil Procedure by means of a bailiff's writ.

7. If, as a result of an amendment to the sanctions list as referred to in Article 2 paragraph 1, an existing freezing of funds needs to be lifted, the Council shall notify everyone holding frozen funds and the supervisory authority thereof. The Council shall ensure that this is implemented immediately. The natural or legal person or other legal construction concerned shall also be notified of the foregoing.

Article 5

Service providers shall take adequate measures to ensure that they are always aware of the sanctions list as referred to in Article 2 paragraph 1, including all amendments to this list, and that they otherwise always comply with the regulations laid down in or pursuant to this State Decree.

Article 6

In the event of the freezing of a registered good, the holder of the relevant public register shall ensure that a note thereof is made in that register.

Article 7

The Council may, without prejudice to the powers of the supervisory authority, issue instructions to a service provider regarding the application of Articles 4, 5, and 6. The service provider concerned shall immediately comply with such instructions.

Article 8

1. A service provider shall notify the Council as well as the supervisory authority of any request for the provision of a service in which a natural or legal person or other legal construction as referred to in Article 2 acts as a counterparty or is otherwise involved.

2. A notification as referred to in paragraph 1 shall, as far as possible, contain the following information:

a. the identity of the person requesting the service or on whose behalf the service was requested;

b. the identity of the natural or legal person or other legal construction for and on whose behalf the service was requested;

c. the scope and the origin of the funds involved in the requested service.

Article 9

The Minister may, after consulting the Council, at the request of a natural or legal person or other legal construction or their authorized representative, against whom freezing measures have been taken, grant access to their frozen assets or funds solely in the following cases for:

a. the performance of necessary expenses for living, medical treatment, the fulfillment of long-term financial obligations, or the payment of rent, utilities, and insurance premiums;

b. the payment of reasonable fees and reimbursements for legal assistance received;

c. the receipt of refunded payments in connection with the provision of legal assistance;

d. the payment of fees for the preservation or maintenance of frozen funds or other assets.

Article 10

1. If a service provider, upon a request for service provision concerning frozen funds, discovers that these belong to a natural or legal person or other legal construction with the same or a similar name as mentioned on the sanctions list, the service provider shall immediately notify the Council thereof

2. The Council shall immediately investigate the identity and background of the natural or legal person or other legal construction concerned and shall promptly inform the Minister of the result upon completion of the investigation. If the result of the investigation gives reason to do so, the Minister shall ensure that the freezing measure is lifted immediately.

Article11

1. The Council shall be obliged to periodically evaluate the placement of natural or legal persons or other legal constructions on the national sanctions list and the freezing measures applied in connection therewith.

2. The Minister may, after advice from the Council, reconsider lifting the placement on the national sanctions list or a freezing measure.

3. As soon as the Minister has taken a decision, a copy thereof shall be immediately provided to the Council

4. The Council shall notify the natural or legal person or other legal construction concerned, the supervisory authority, as well as everyone holding frozen funds, that the freezing measures have been lifted.

Article 12

1. Anyone against whom a sanction measure has been taken pursuant to this State Decree may lodge a written objection with the Minister within 30 (thirty) days after the decision has been made known to them.

2. The objection shall be submitted by means of a reasoned letter of objection.

3. The Minister shall take a reasoned decision within 15 (fifteen) days after receipt of the letter of objection.

4. The decision shall be made known to the interested party, as referred to in paragraph 1 of this Article, by means of a bailiff's writ.

Article13

1. Anyone who cannot agree with a decision of the Minister, as referred to in the preceding Article, may lodge an administrative appeal with the President within 30 (thirty) days after receipt of the decision.
2. The administrative appeal shall be lodged by means of a reasoned letter of appeal.
3. The President shall take a reasoned decision within 30 (thirty) days after receipt of the letter of appeal.
4. The decision shall be made known in writing to the interested party, as referred to in paragraph 1 of this Article

Article 14

1. Without prejudice to the procedure for lodging an objection with the Minister, anyone who is directly affected in their interest by a decision of the Minister may petition the cantonal judge.

2. If the judgment of the cantonal judge leads to the full or partial annulment of a decision, the Minister shall, as far as necessary, provide for the implementation of the aforementioned judgment.

3. The provisions of the Code of Civil Procedure for proceedings before the court shall apply mutatis mutandis.

Article 15

The Minister may, by decree, establish further rules for the implementation of this State Decree.

Article 16

Upon the entry into force of this State Decree, the State Decree of October 14, 2016 (Official Gazette 2016 no. 131), concerning the further implementation of Article 2 paragraph 1 as well as Article 8 of the International Sanctions Act (Official Gazette 2014 no. 54, as amended by Official Gazette 2016 no. 131), shall lapse.

Article 17

1. This State Decree shall be cited as: Decree Implementing the National Sanctions List 2025.
2. It shall be promulgated in the Official Gazette of the Republic of Suriname.
3. It shall enter into force on the day following that of its promulgation.
4. The Ministers of Foreign Affairs, International Business and International Cooperation, of Finance and Planning, and of Justice and Police are charged with the implementation of this State Decree

Given in Paramaribo, the 23rd of April 2025

CHANDRIKAPERSAD SANTOKHI

Issued in Paramaribo, the 28th of April 2025

The Minister of Home Affairs,

DELANO LANDVREUGD.

2025 **No. 53**

STATE DECREE of April 23, 2025, implementing Article 2 paragraph 1 and Article 4a paragraph 4 of the International Sanctions Act (Official Gazette 2014 no. 54, as last amended by Official Gazette 2024 no. 100).
(Decree Implementing the National Sanctions List 2025)

EXPLANATORY MEMORANDUM

GENERAL

Pursuant to Article 2 paragraph 1 of the International Sanctions Act (Official Gazette 2014 no. 54, as last amended by Official Gazette 2024 no. 100), rules may be established by State Decree for the implementation of treaties and resolutions of international law organizations.

For the implementation of Article 2 paragraph 1, a State Decree (Official Gazette 2016 no. 34) was issued on February 29, 2016, containing further rules for the implementation of various resolutions, including resolutions 1267 and 1373 of the United Nations Security Council. The aforementioned State Decree, which has been fully incorporated into the present State Decree, has been repealed upon the entry into force of the present State Decree.

Resolution 1373 (2001) obliges member states of the United Nations to establish a general sanctions regime against all natural or legal persons or other legal constructions involved in terrorist activities.
Thus, member states must prevent and suppress the financing of terrorist acts, criminalize the collection of funds to commit terrorist acts, and freeze such funds.

Pursuant to Resolution 1373, member states must establish a national regime to identify persons and entities that meet the specific criteria laid down in the said resolution. All member states must also cooperate legally to prevent terrorist acts and their financing. On the basis of Resolution 1373, several countries have proceeded to compile their own sanctions lists of natural or legal persons or other legal constructions suspected of terrorism, and our country is regularly called upon to

recognize these lists and to take the necessary provisions in this regard.
By means of this State Decree, the State wishes to further implement Article 2 paragraph 1 as well as Article 4a paragraph 4 of the International Sanctions Act (Official Gazette 2014 no. 54, as last amended by Official Gazette 2024 no. 100).

This further implementation serves to further implement Resolution 1373 and entails that the State of Suriname, in this case the Minister, establishes a national sanctions list and in that context also establishes procedures for the de-listing of natural or legal persons or other legal constructions who have been found or are reasonably suspected of being involved in terrorist activities or their financing, or orders the freezing of the assets belonging to the aforementioned persons.

This State Decree also includes the power to investigate requests from other countries for listing and freezing based on Resolution 1373 and, if appropriate, to implement them.

The process for achieving the de-listing of natural or legal persons or other legal constructions and the lifting of freezing measures proceeds in a corresponding manner.

ARTICLE-BY-ARTICLE

Article 1

This article defines the terms used in the State Decree.
Thus, the term 'funds' is broadly defined in accordance with the terms "means and other assets" used by the FATF.
The terms reasonable grounds and reasonable basis have also now been incorporated into this implementing decree.

Article 2

Pursuant to this article, the Minister of Foreign Affairs, International Business and International Cooperation is the competent authority to manage the national sanctions list, and he grants authority to the Council to maintain this list.

The Minister shall establish a sanctions list of natural or legal persons or other legal constructions against whom reasonable grounds or a reasonable basis exists that they are engaged in terrorist acts or that they attempt to commit them, or in any case facilitate or aid and abet them. It is important here that placement on the sanctions list is already possible as soon as sufficient indications exist of any direct or indirect involvement in terrorist activities. A formal criminal investigation is not a prerequisite for listing.

Natural persons and entities shall also be placed on the sanctions list following a request from another State, after it has been assessed whether the facts and circumstances cited therein provide a sufficient factual basis for placement on the national sanctions list and whether the natural or legal persons or other legal constructions concerned actually carry out (an attempt at) terrorist activities in or from Suriname or are involved in facilitating them.

On this list, the natural or legal persons or other legal constructions shall be described by their name, including all known aliases and pseudonyms, the address including correspondence addresses, the place of residence or the place of establishment, and other relevant data that may serve for identification.

Article 3

The Council is charged with providing information and assistance in individual cases regarding the consultation of the sanctions list. Likewise, with the measures to ensure the freezing of funds. The obligation of the supervisory authorities based on Article 38 of the Anti-Money Laundering and Counter-Terrorist Financing Act (WMTF) (Official Gazette 2022 no. 138, as amended by Official Gazette 2024 no. 99) does not affect the aforementioned obligation of the Council.

Article 4

This article concerns the absolute obligation to freeze the funds present in Suriname that directly or indirectly belong to natural or legal persons or other legal constructions or to which a natural or legal person or other legal construction placed on the sanctions list is otherwise entitled.

The provisions of this article are directly related to the internationally binding obligation laid down in Resolution 1373 to combat the financing of terrorism and to freeze the assets, other financial assets, or other economic resources of natural or legal persons or other legal constructions engaged in terrorism immediately and without prior notification.

This obligation also applies to:

- funds that are directly or indirectly and wholly or jointly owned or controlled by the natural or legal persons or other legal constructions suspected of one or more terrorist offenses or convicted thereof, natural or legal persons or other legal constructions that finance terrorism, or terrorist organizations;

- funds derived from or generated by funds or other assets owned or controlled by the natural or legal persons or other legal constructions suspected of one or more terrorist offenses or convicted thereof, natural or legal persons or other legal constructions that finance terrorism, or terrorist organizations. This also includes future income under the freezing measure.

- To ensure that it concerns the relevant natural or legal persons or other legal constructions on the sanctions list, identification data must be used. This can prevent persons or organizations with similar names from being wrongly implicated.

- Furthermore, paragraph 3 lays down a general prohibition on the provision of financial services and/or the making available of funds to the natural or legal persons or other legal constructions appearing on the sanctions list.

Paragraph 4 obliges anyone holding frozen funds to immediately take measures to make these funds inaccessible and to immediately notify the Council of the presence of these funds.

Paragraph 5 ensures that the prohibition on the provision of financial services and the making available of funds to the natural or legal persons or other legal constructions appearing on the sanctions list cannot be circumvented, even through front companies.

Paragraph 6: notification of a freezing measure takes place in accordance with the manner regulated in the Civil Code, namely by means of a bailiff's writ.

Paragraph 7 obliges the Council, in the event of the lifting of a freeze due to an amendment of the sanctions list, to notify everyone holding frozen funds thereof. The Council will have to ensure that this is implemented immediately. The natural or legal persons or other legal construction concerned will also be notified accordingly.

Article 5

Service providers have a duty to take adequate measures to ensure that they are and remain aware of the sanctions list and that they always comply with the regulations under this State Decree.

Article 6

If there is a freezing of a registered good (including real estate and (aircraft)), the holder of the relevant register (usually the GLIS office) has the duty to ensure that a note thereof is made in that register.

Article 7

The Council may, regarding the application of the freezing of funds, give instructions to a service provider. The service provider concerned shall immediately comply with such instructions.

Article 8

This article obliges a service provider, in the event of a request for the provision of a service in which a natural or legal person or other legal construction that has been placed on the sanctions list pursuant to this implementing decree acts as a counterparty or is otherwise involved, to notify the Council. This notification shall at least contain the data mentioned in the law.

Article 9

The Minister may grant access to frozen funds to natural or legal persons or other legal constructions against whom freezing measures have been taken, for urgent and necessary expenses. These expenses include, among other things, costs for living, medical treatment, and costs for legal assistance.

Article 10

This article addresses the possibility of mistaken identity, whereby, if there is any suspicion thereof, the notification must be made immediately to the Council, which is obliged to investigate this further. After the result of the investigation has become known, the Council shall, insofar as there is reason to do so, immediately lift the freezing measure. In line with this, the sanctions list will of course also have to be amended.

Article 11

The Council will have to regularly evaluate the freezing measures taken to ascertain whether the reasonable grounds and the reasonable basis that led to the imposition of the measure still exist. Regarding this, the Council will advise the Minister who, insofar as there is reason to do so, will revoke the measure. The parties concerned will be informed thereof.

Article 12

Anyone against whom a sanction measure has been taken has the possibility to lodge an objection against this with the Minister within 30 (thirty) days after having taken note of a measure taken against them on the basis of this State Decree.

Article 13

Anyone who cannot agree with a decision of the Minister, as referred to in the preceding article, may appeal against it to the President.

Article14

Anyone who is directly affected in their interest has the possibility to immediately submit their case to the Cantonal Judge. The path of objection and appeal within the administration does not then have to be followed.

Article15

The Minister may, by decree, establish further rules for the implementation of this State Decree. Thus, among other things, the various procedures for listing and de-listing, freezing and unfreezing, and access to frozen funds will be elaborated upon by ministerial decree.

Article16

The State Decree of October 14, 2016, Official Gazette 2016 no. 131, has been completely rewritten, partly due to the amendment of the International Sanctions Act (RIS) (Official Gazette 2024 no. 100), as a result of which it was decided to completely repeal the earlier implementing decree.

Paramaribo, April 23, 2025

CHANDRIKAPERSAD SANTOKHI

RIS
RAAD INTERNATIONALE SANCTIES

RIS