

Aliens Act 1991, Law of 16 January 1992 concerning the Admission and the Expulsion of Aliens

Date of entry into force: 1992

Article 1

In the provisions of, or by virtue of this act the following definitions apply:

a.the Minister : the Minister charged with the admission, residence and expulsion of aliens;

b.alien : anyone who is not Surinamese in the sense of the "Nationality and Residence Act" and is not considered as Surinamese by virtue of another legal provision;...

Article 8

Officers in charge of frontier control shall not, save on special instructions of the Minister, refuse entry to Suriname to aliens claiming that, as a consequence of such refusal, they would be forced to proceed forthwith to a country where they have well-rounded reasons to fear persecution on account of their religious or political persuasion, or their nationality, or their belonging to a certain race or a certain social group.

Article 10

1.Aliens shall be allowed to reside in Suriname for an indefinite period of time:

a.if they hold a permanent residence permit;

b.if they have been admitted as refugees by the Minister.

2. Aliens other than those referred to in subsection i may be granted permission to reside in Suriname for an indefinite period by or in virtue of a State decree.

Article 12

An alien's residence permit may be withdrawn:

a.if he has given false information and if the facts on which this information is based - had they be known at the time- would have led to refusal of the granting or of the extension of validity of the permit;

b.if he no longer has adequate means of support;

c. if he has committed an offence against public order and peace, or constitutes a threat to national security or public health;

d. if he has transgressed a restriction subject to which the permit was granted, or because of an infringement of a condition attached to it.

Article 16

1. Aliens coming from a country in which they have well-founded reasons to fear persecution on account of their religious or political persuasion, or their nationality, or their belonging to a certain race or a certain social group in their country of origin, may be admitted as refugees and granted a residence permit in conformity with article 10.

2. Entry can only be refused for weighty considerations relating to the public interest if such refusal would force the alien to proceed forthwith to a country as referred to in subsection 1.

3. The permit may be withdrawn in accordance with the provisions of article 12 sub a, c and d, and also in cases where, as a result of changed circumstances, the alien has the opportunity of taking up residence outside Suriname without risk of persecution, unless he has compelling reasons arising out of earlier persecution, not to take that opportunity.

4. In the interest of foreign relations, the Ministry charged with foreign affairs may be consulted before a decision is taken by virtue of this article.

Article 17

If an alien who is not a refugee in the sense of article 16 subsection 1, does not qualify for the issuance of a residence permit in application of the provisions of, or by virtue of this law, he may nonetheless be granted such permit provided he cannot in the light of the social and political situation in his country of origin and his personal circumstances reasonably be required to return to that country.

Article 24

1. Aliens who are not permitted to reside in Suriname by virtue of any of the articles 6, 9 and 10, may be expelled.

2. Aliens claiming that removal from Suriname would force them to proceed forthwith to a country where they have well-founded reasons to fear persecution on account of their religious or political persuasion, or their nationality, or their belonging to a certain race or a certain social group, shall not be expelled save on instruction of the Minister.

3. With regard to the aliens referred to in article 17, subsection 2 above applies.

4. No expulsion shall be effected:

a.if and as long as an alien is required to be at the disposal of the Public Prosecution for a penal inquiry;

b.pending an extradition procedure;

c.while an alien is undergoing punishment or another measure in connection with an offence committed in Suriname.

Article 32

1.Applications may be addressed to the President of the Republic Suriname for the review of orders concerning:

a.the refusal of a residence permit or of admission as a refugee, or the refusal to renew a residence permit;

b.the issue or renewal of a residence permit for a period shorter than the one applied for, or subject to certain restrictions or conditions;

c.the modification, other than in conformity with an application made to that effect, of the restrictions or conditions subject to which a residence permit was issued;

d.the withdrawal of a residence permit or of admission as a refugee;

e.the expulsion of an alien who, on the date his expulsion was ordered, had had his principal residence in Suriname for three months without permission to reside there in virtue of any of the provisions of articles 6, 9 and 10, provided he complied during that period with any obligations to report to and notify the authorities in accordance with the provisions of this Act.

2. Applications may equally be addressed to the President for the review of Orders concerning:

a.the refusal of a permanent residence permit;

b.the withdrawal of a permanent residence permit;

c.the imposition of an obligation as contained in article 19, subsection 31 ;

d.the declaration of undesirability of aliens;

e.the expulsion of an alien whose residence in Suriname is no longer permitted because he has ceased to belong to a category to which the provision of subsection 2 of article 10 applies.

3. For the purpose of the opening sentences and the provisions under a of subsections i and 2, a permit or admission as a refugee shall be deemed to have been refused if the competent authority has not given a decision on the application within six months.

4. No review of Orders concerning an application for a residence permit is allowed if the alien resided in Suriname at the time of the application while he was not permitted to do so at that time.