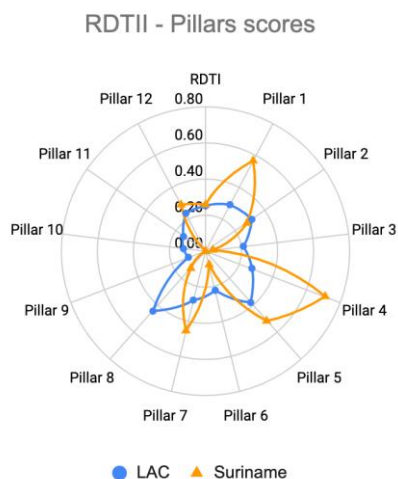
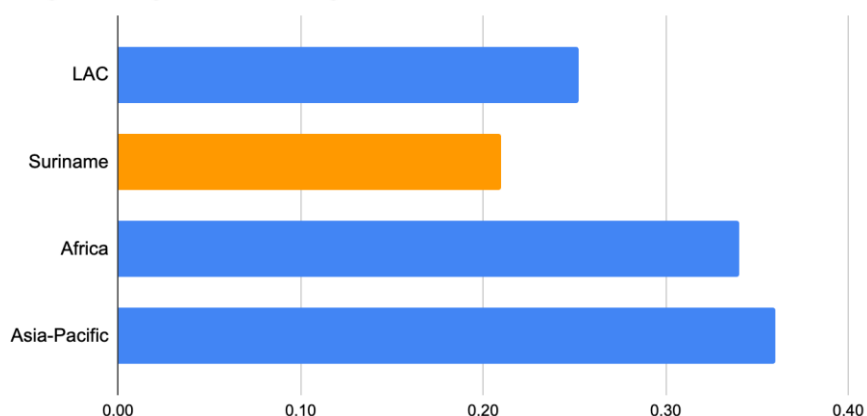


Suriname - Country Report

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Regional Digital Trade Integration Index



	LAC	Suriname
RDTI index	0.25	0.26
Pillar 1: Tariffs and trade defence	0.20	0.57
Pillar 2: Public procurement	0.25	0.28
Pillar 3: Foreign Direct Investment	0.32	0.04
Pillar 4: Intellectual Property Rights (IPRs)	0.24	0.71
Pillar 5: Telecom infrastructure & competition	0.42	0.52
Pillar 6: Cross-border data policies	0.17	0.08
Pillar 7: Domestic Data policies	0.29	0.46
Pillar 8: Intermediary liability	0.51	0.13
Pillar 9: Content access	0.12	0.00
Pillar 10: Quantitative trade restrictions	0.13	0.00
Pillar 11: Technical standards	0.15	0.00
Pillar 12: Online sales and transactions	0.23	0.29

Key strengths	Key recommendations
<ul style="list-style-type: none"> • Transparent and non-discriminatory standards for ICT goods • Open environment for foreign investments • Open environment for access to content online 	<ul style="list-style-type: none"> • Join the WTO Information Technology Agreement (ITA I) and its expansion (ITA II) • Update of the IPR-related regulations • Promote an open regime in the telecom sector

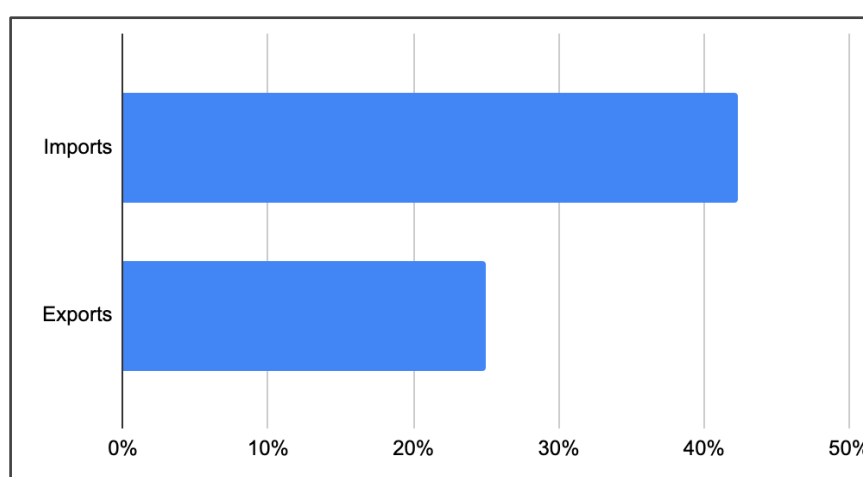
This report summarizes the results of the analysis conducted under the Digital Trade Integration Project by UN-ECLAC in collaboration with the European University Institute (EUI) regarding digital trade integration in a selected group of Latin American economies, including Suriname.

Introduction

Suriname is in the process of adapting its regulatory framework to the digital economy. In 2021, the government began to promote digital transformation with a set of tools on digital government, digital trade, focused on entrepreneurship, and technological solutions for special economic sectors (agriculture, medicine). The country's current plans to promote digital trade, which are exposed at the ICT Vision 2030, are focused primarily on promoting generalized connectivity by the expansion of broadband internet connections and infrastructure.¹ Examples of this are the construction of the Jenny-Henar Road that aims to connect the country with its northern frontiers and promote trade of goods. To promote innovation, the governmental telecommunications company (TELESUR) aims to further connect electronic government tools and access to electronic payment services to the country's population.

Regarding digitally-enabled services, the share of exports in total commercial exports was 25% in 2022, while imports of digitally-enabled services accounted for 42.4% of total imports in the same year.

Shares of digitally-deliverable services in global trade, 2022



Source: Author, based on UNCTADstat.

¹ See <https://ict-as.sr/wp-content/uploads/2021/11/ICT-Vision-2030-print-version.pdf>

Key policies supporting Suriname's digital trade integration

Suriname's regulatory framework for intermediate liability on the internet not only establishes a safe harbor for copyright infringement but also extends its reach to cover other user activities. The *Wet Elektronisch Rechtsverkeer* (Electronic Legal Transactions Act), enacted in 2017, delineates a clear procedure for internet intermediaries to follow in case of infringements related to the transmission of data messages, recordings, or electronic information. The country also has an open environment for accessing content online, and the government refrains from interfering with domestic internet access.

The national regulatory company's regime, including the *Wetboek Coöperatieve Vereniging* of 1944 (Cooperative Associations Act) and *Investeringswet* of 2001 (Investment Law) promote an open environment for foreign investors. This also applies to the telecom sector, which is open to foreign investment. Moreover, competition in this sector is supported by the fact that Suriname has appended the WTO Telecom Reference Paper to its schedule of commitments and has telecom authority that is independent in the decision-making process.

The *Besluit Laag Vermogen Apparatuur* of 2007 (Decree Low Assets Equipment) and the Suriname Standards Bureau Act of 2006 outline import procedures for telecom equipment that require type approvals in line with international best practices.

Suriname has adopted national legislation based on or influenced by the UNCITRAL Model Law on Electronic Commerce (MLEC) by which the country grants legal certainty for electronic contracts, electronic signatures, and the use of electronic records, promoting the seamless conduct of business transactions in the digital realm.

Key policies restricting Suriname's digital trade integration

Suriname lacks important policies that could enable digital trade. Notably, there is a glaring absence of a robust legal framework in the area of IPRs, where there is a lack of regulation protecting patents and trade secrets. Moreover, the existing legal instruments governing IPRs are generally outdated, as exemplified by the *van de Wet Auteursrecht* of 1913 (Copyright Law). The exceptions to copyright infringement do not follow the fair use or fair dealing model, therefore limiting the lawful use of copyrighted work by others. Internet service providers are currently not covered, leading to insufficient online copyright enforcement. Moreover, the country has not joined key international treaties in this area, namely the WIPO Copyright Treaty (WCT), the Patent Cooperation Treaty (PCT) and the WIPO Performances and Phonogram Treaty (WPPT).

The country also lacks a comprehensive framework for data protection, which is an important enabler for digital trade. Regarding foreign investment, despite Suriname does not restrict foreign ownership, it is reported that the screening process for investment is neither public nor transparent and can be considered a barrier to investment.

Some limited restrictions also apply regarding domain names. In fact, applicants for the domain name “.sr” who do not reside or are not domiciled in Suriname shall designate an address in Suriname where written documents can be delivered to the domain name applicant and summons, if any, can be issued. The country does not follow international standards as they have not adopted the UNCITRAL Model Law on Electronic Signatures (MLES).

Suriname has a low coverage of zero tariffs for ICT goods imported from the region. In fact, only one third of the imports of ICT goods are duty-free. Furthermore, the country has not signed the ITA I nor its expansion ITA II. Also, the country lacks a *de minimis* threshold, which is the minimum value of goods below which customs do not charge duties. This can result in a restriction for e-commerce transactions.

It is reported that in February 2021, the Foreign Exchange Commission implemented some measures regarding exchange rate policy including the requirement for exporters to repatriate earned export revenues to Suriname, which requires a buyer abroad to pay for purchased goods through a Surinamese commercial bank. In addition, exporters and foreign exchange offices must exchange 30% of their foreign currency income into Surinamese Dollars (SRD). In the case of imports, the new measures require that importers make payments for their imports through Surinamese commercial banks.

Regarding the telecom sector, the country does not mandate infrastructure sharing, nor functional separation for operators with significant market power in its regulations. Moreover, the *Wet Telecommunicatievoorzieningen* (Telecommunications Act) of 2004 establishes the government as the only shareholder of TELESUR, one of the two telecommunications companies currently active in the country. In addition, the licensing scheme appears to be potentially restrictive as a concession can only be granted if it promotes the efficient provision of telecommunications in the general social and economic interest. Furthermore, a concession shall not be granted until the legal person demonstrates that it has at least sufficient financial resources, technical expertise, organizational capacity, and experience in telecommunications.

In the area of public procurement, tenderers in Suriname must have a valid contractor's permit and be registered in the trade of the Chamber of Commerce and Industry to be eligible. There are reported issues regarding transparency in public procurement processes and the country has not signed the WTO Agreement on Government Procurement (GPA).

Recent policy changes and proposals

To open the country to foreign investment, Suriname is developing an update of its procurement regulations through the Procurement Act draft of 2023. It aims to stimulate and encourage participation in tenders by domestic and foreign companies.

Regarding the protection of personal data, there is a Bill still under consideration in the National Assembly in 2021, the *Wet Bescherming Privacy en Persoonsgegevens* of 2020. The bill provides a comprehensive framework for the processing of personal data and establishes rights and obligations for the Commissioner for Data Protection.

Main recommendations

It is recommended to update the laws in the area of IPRs and to implement a robust legal framework safeguarding patents and trade secrets. In doing so, the country should align national regulations with international standards, including by joining the WCT, the PCT, and the WPPT.

It is recommended to implement a framework for data protection that is expected to enable digital trade. Also, it is suggested to eliminate the residency requirement to purchase local domain names and to align the regulations with the standards of the MLES.

It is recommended that the country considers reducing the tariffs applied to ICT and increasing the coverage of zero-tariffs applied to these products. Joining the WTO ITA and its expansion ITA II would contribute to this goal.

It is suggested to implement a *de minimis rule* of at least USD 200, aligning with International Chamber of Commerce (ICC) guidelines to facilitate e-commerce transactions and consider the necessity of the currency requirements for exporters.

Is recommended to promote infrastructure sharing and functional separation in the telecom sector and to streamline the licensing granting procedure. Additionally, it is advised to promote competition by diversifying the ownership of TELESUR, which could further enhance accessibility and attractiveness for foreign investments.

Finally, the country should consider updating the public procurement regulation to enhance transparency in public tenders and to join the WTO GPA.