



Philipsburg, June 6 2025
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To the President and Members of Parliament of Sint Maarten
Wilhelminastraat 1,
Philipsburg, Sint Maarten

Subject: Notification under article 32 of the Kingdom Act on the Law Enforcement Council regarding the Point Blanche Prison and house of Detention in Sint Maarten

Dear President and Members of Parliament,

Notification Council

The Law Enforcement Council (Council) is writing to you in response to the unsustainable situation at the Point Blanche prison and house of detention on Sint Maarten. The prison has in fact been in an extremely precarious and hazardous condition for many years. Yet another crisis has arisen within the prison walls. On May 14th, a riot broke out spontaneously, accompanied by a fire. This was a life-threatening situation, with a real risk of fatalities among staff, detainees and visitors. The threat and likelihood of recurrence is ever-present, resulting in ongoing life-threatening conditions for staff, detainees and visitors alike.

The Council views the development of this life-threatening situation as partly resulting from years of structural negligence and systematic disregard for its recommendations.¹ Based on section 32 of the Kingdom Act on the Law Enforcement Council (Kingdom Act Council), the Council is therefore compelled to notify the Parliament of Sint Maarten and the Kingdom Council of Ministers. The Council strongly appeals to the Parliament of Sint Maarten and the Kingdom Council of Ministers to take immediate action which can lead to the implementation of a workable approach and solution that guarantees the safety and human rights of everyone in the current prison. Without immediate action, further escalation with potentially fatal consequences remains an imminent risk.

Insufficient safeguards and violation of rights

The Council has made several structural recommendations in response to the long-standing situation and the serious bottlenecks identified at administrative, managerial, personnel, equipment and financial levels, among others. These include recommendations from the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), which the Council monitors.

¹ Based on at least two follow-up inspections following an inspection report, the Council decides whether the Minister systemically fails to comply with the recommendations.



Nevertheless, follow-up has been almost non-existent. To date, the measures that have been taken have arguably provided insufficient guarantees for the physical safety of staff, detainees and visitors.

The Council notes that the situation in the prison has led to continuous violations of fundamental human rights and seriously undermined the security of both staff and detainees for years. The Council has repeatedly emphasised that the responsibility to comply with internationally set laws, regulations and CPT standards lies not only with the Country of Sint Maarten, but with the countries of the Kingdom as a whole. Despite clear standards and commitments being expressed within the Kingdom, structural compliance and assurance thereof is far below par in several respects. It is therefore justifiable to conclude that the countries within the Kingdom are failing to meet their responsibilities in this regard. The Charter for the Kingdom of the Netherlands provides sufficient room to take appropriate measures to ensure compliance with this responsibility.

Supervisory task

The Council is responsible for inspecting bodies and institutions that carry out prison sentences and measures that restrict or deprive people of their freedom (article 3 of the Kingdom Council Act). In this context, the Council conducted nine follow-up prison inspections between 2013 and 2022, providing reports with recommendations to the Minister of Justice each time. The statutory system dictates that the Minister must then send the follow-up inspection report and their response to Parliament within six weeks. The Council has repeatedly drawn Parliament's attention to the fact that this has hardly been done in recent years, as set out in the State of Law Enforcement 2024, which was presented directly to Parliament, as well as in the State of Law Enforcement for the years 2014–2023 (article 33 of the Kingdom Council Act).

(follow-up) inspections and monitoring

The follow-up inspections on the prison focus on themes such as security, safety, legal status, the treatment of detainees, social reintegration, and mutual detention arrangements. Additionally, the Council evaluates the progress made on the recommendations of both the Council and the CPT (see Annex 1). Furthermore, in its annual 'State of Law Enforcement Sint Maarten' and in its discussions within and outside the justice chain, as well as in related press releases, the Council continuously draws attention to the serious problems and bottlenecks in the prison. Time and again, the Council has been forced to conclude that there are structural issues on several topics. These are often inextricably linked to each other, resulting in an even greater negative impact on all relevant facets of and around the prison. The negative and hazard-inducing effects are primarily evident in the security in and around the prison, which is a core aspect of the detention system.



Over the years, the Council drew increasingly stronger conclusions based on its findings and the deteriorating situation. By 2018, the Council concluded that the prison was completely unsuitable in terms of both humane detention and as a workplace. By then, the prison was already in a deplorable and alarming state. Follow-up inspections repeatedly showed that little or no action had been taken to implement the recommendations made by the Council or the CPT. The Council observed an ongoing deterioration of the situation and, consequently, intensified monitoring of the prison's recommendations in subsequent years. In that context, in recent years the Council has held periodic meetings with the Minister of Justice, Ministry of Justice representatives, the acting prison director, the Public Prosecutor's Office, the Supervisory Committee, the Progress Committee Sint Maarten, representatives of the Ministry of Interior Affairs and Kingdom Relations, and the Governor of Sint Maarten. Furthermore, during its most recent annual round of meetings, the Council met with the Prime Minister of Sint Maarten, the President of the Sint Maarten Parliament and the Chair of the Justice Committee, the Minister of Finance, the Minister of Education, Culture, Youth and Sport, the Minister of Health, Social Development and Labour, the Ombudsman and the Integrity Chamber. Furthermore, the Council made several visits to the prison, most recently on June 3rd, 2025. During this visit, the Council received a briefing on the current situation from the director and the technical assistants. The Council commends the efforts of those directly involved in dealing with the current crisis. However, the Council also notes that structural bottlenecks continue to have a negative impact and limits the possibilities of working towards a stable and safe situation.

New prison

As indicated, the Council has been urging to address the serious shortcomings around the prison, since 2016. From 2021 onwards, this has taken more concrete shape in the Sint Maarten country package, with the Netherlands and Sint Maarten working together to improve detention conditions and secure the necessary funding. Since then, the countries have been assisted by the United Nations Office for Project Services (UNOPS) in constructing and establishing a new prison. The Council notes that this cooperation has resulted in positive and concrete steps towards the construction of a new, modern prison. Partly based on these developments, which involve intensive cooperation between the Netherlands and Sint Maarten, and on the financial resources reserved or made available for the construction of a new prison, the Council decided not to exercise its authority to issue a notification under article 32 of the Kingdom Council Act at that time. Since then, the Council has been monitoring developments intensively and periodically. Construction is projected to be completed by 2028.

Sense of urgency

Although the aforementioned cooperation is important and concrete steps have been taken, these do not solve the current security issues. In the meantime, and in anticipation of the new prison, the Council notes that the security and rights of staff, detainees and visitors must be guaranteed. It would therefore be irresponsible to wait for the new prison to be completed and established. Following the event on May 14, 2025 (see photos in Annex 2), the Council notes that conditions have (temporarily) deteriorated and that



the vulnerability of the prison and the entire system around it has once again been exposed. This requires a shared sense of urgency at both the local and Kingdom levels.

Perspectief

The identified risks of the unsafe environment within the prison also affects society as a whole. The serious issues and, by extension, the approach for a safe prison and, by extension, a safe society must be considered and addressed from a broader perspective. The Council's latest State of Law Enforcement 2024 - published in May 2025 - focuses on local conditions, issues and their impact on both law enforcement, the entire chain and society as a whole. In this State, the Council also advocates an integrated chain approach, going beyond the judicial law enforcement chain. In it, there is a need for (strategic) cooperation from a well-functioning integral (ministry-transcending and/or country-transcending) chain approach that can be applied to various subjects. According to the Council, a solution must be found in cooperation at all levels and across all bandwidths. The Council pointed out that the time is ripe for a future-proof long-term vision supported by actual joint action(s). Among other things, cooperation within the country and the continuation of indispensable justice cooperation between the countries are important preconditions for achieving this. The above is also particularly relevant to the prison system.

Current situation is unsustainable and unacceptable

The factors mentioned in this letter have culminated in an unsustainable and unacceptable situation. The Council believes that this is due to years of inaction in highly vulnerable and hazardous circumstances.

In light of this, and within the legal and administrative system of the Kingdom, the Council is sounding the alarm in this notification, under article 32 of the Kingdom Act on the Law Enforcement Council. By doing so, the Council hopes and expects that responsibilities will be addressed jointly.

Sincerely,

Mr. M.R. Clarinda

Council member for Sint Maarten / Chairperson of the Council

Mr. M.I. Koelewijn,

Council member for Caribbean Netherlands

Mr. E.R.A. Morillo

Council member for Curaçao



Annexes:

1: Council reports on the prison system

2: Photos fire 14 May Pointe Blanche Prison and update June 3rd

CC: - Minister of Justice Sint Maarten;
 - Parliament of Sint Maarten



Annex 1: Council reports on the prison system

(follow-up)inspections 2013 - 2025

[2025 — Second follow-up inspection 'Sint Maarten Juvenile Justice Facility: the Miss Lalie Center'](#)

[2025 — Immigration detention in St. Maarten. Inspection into the treatment of detained foreigners in St. Maarten.](#)

[2022 — Evaluation mutual detention arrangements. Inspection of the functioning of the four mutual detention arrangements.](#)

[2021 — General review recommendations Sub-inspection 1: Prevention of youth crime; Youth rehabilitation center; Youth probation; Adult probation.](#)

[2019 — The Pointe Blanche Prison and remand center, the Miss Lalie Center, Philipsburg police cells, and the Simpson Bay border hospice. Report of findings 2019.](#)

[2018 — Penitentiary institution Sint Maarten. Follow-up inspection into the legal status and personnel and organisation.](#)

[2018 — Penitentiary institution St. Maarten. Follow-up inspection into internal security and security of society.](#)

[2017 — Penitentiary institutions St. Maarten: treatment of detainees and social reintegration.](#)

[2016 — Penitentiary institutions St. Maarten: internal security and societal security.](#)

[2016 — Justice youth institution St. Maarten: baseline measurement at the Miss Lalie Center.](#)

[2016 — Penitentiary institutions in St. Maarten: legal status of detainees and personnel & organisation.](#)

[2015 — The treatment of persons with addiction or behavioral disorders in the criminal justice system in Sint Maarten.](#)

[2013 — Security and safety in detention facilities in Sint Maarten.](#)

[2013 — Detention capacity in St. Maarten.](#)

State of Law Enforcement 2014 – 2024

[2024 — State of Law Enforcement in St. Maarten](#)

[2023 — State of Law Enforcement in St. Maarten](#)

[2022 — State of Law Enforcement St. Maarten](#)

[2021 — State of Law Enforcement St. Maarten](#)

[2020 — State of Law Enforcement in St. Maarten](#)

[2019 — State of Law Enforcement in St. Maarten](#)

[2018 — State of Law Enforcement in St. Maarten](#)

[2017 — State of Law Enforcement in St. Maarten](#)

[2016 — State of Law Enforcement in St. Maarten](#)

[2015 — State of Law Enforcement in St. Maarten](#)

[2014 — State of Law Enforcement in St. Maarten](#)



Annex 2: Photos fire 14 May Point Blanche Prison and update 3 June















