

State of Law Enforcement Caribbean Netherlands 2024

Preamble

Every year, the Council publishes a report on the state of law enforcement (the State) for the Caribbean Netherlands, Curaçao and Sint Maarten. The State contains a more general picture of the developments in law enforcement and findings that go beyond the individual inspections. In addition to the state of affairs per country or island country in the field of various relevant topics, judicial cooperation between the countries is also discussed. In its previous State of the Resolution (2023), the Council already indicated that there was still a lot of progress to be made in terms of the development of law enforcement in the countries.

Developments in the Caribbean Netherlands follow each other in rapid succession. The region is under increasing pressure from rapid population growth, immigration, tourism and inadequate infrastructure. These developments also have consequences for security and stability on the islands. This requires a structural and integrated approach to the development of law enforcement.

With this State, the Council paints a picture of the state of affairs within law enforcement, more specifically within the judicial criminal justice chain of the Caribbean Netherlands. The report also contains a number of main messages, to which the Council draws attention.

The Council simultaneously issues a State of Law Enforcement for Sint Maarten and Curaçao respectively. These are published on the Council's website www.raadrechtshandhaving.com. The Council invites you to read the three States of Law Enforcement and looks forward to the upcoming developments.

During 2024, a number of policy areas that had previously been the responsibility of the Ministry of Justice and Security will be transferred to the Ministry of Asylum and Migration, which was established in 2024. Under the Kingdom Act on the Council for Law Enforcement, these areas fall under the supervision of the Council.¹ This State of Law Enforcement 2024 is therefore presented to the Minister of Justice and Security as well as to the Minister of Asylum and Migration (AenM).

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¹ Kingdom Law Council for Law Enforcement wetten.nl - Regulation - Kingdom Law Council for Law Enforcement - BWBR0028075; Explanatory Memorandum Explanatory [Memorandum Rw RvdRH](#)

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Abbreviation list

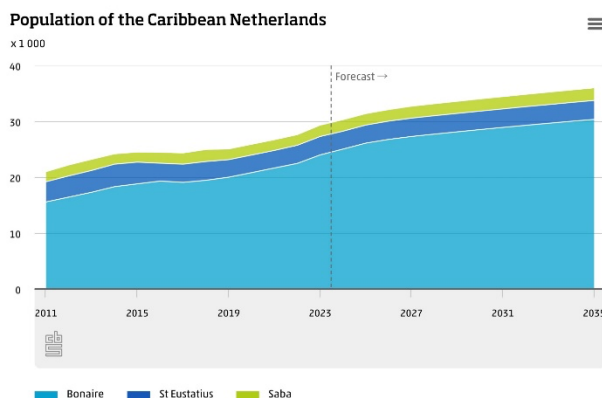
AenM	Asylum and Migration
BERRY	Bonaire, St. Eustatius and Saba
CN	Caribbean Netherlands
DMB	Migration Policy Directorate
DGRR	Directorate-General for Administration of Justice and Law Enforcement
DGPenV	Directorate-General for Police and Security Regions
JenV	Justice and Security
JICN	Correctional Institution Caribbean Netherlands
KPCN	Dutch Caribbean Police Force
KMar	Royal Netherlands Marechaussee
NP	National Police
OM BES	Public Prosecutor's Office Bonaire, St. Eustatius and Saba
RST	Criminal investigation cooperation team
RCN	Rijksdienst Caribisch Nederland
SRCN	Probation Foundation Caribbean Netherlands
VRN	Guardianship Council Caribbean Netherlands

Introduction

Caribbean Netherlands: unique with increasing challenges.

The Caribbean Netherlands, consisting of the three public entities ('*special municipalities*') of Bonaire, St. Eustatius and Saba, is a region characterized by its unique geographical location and a dynamic social and cultural composition. Located in the Caribbean, 9000km from the European Netherlands, the population of these islands is relatively small but diverse. Despite the fact that there is talk of an *isolated location*, the islands are confronted with increasingly complex challenges that put pressure on their social, economic and legal structures. In the State of Law Enforcement 2020, the Council concluded that the basis was in order to be able to build on for stability for the future and the developments that go with it. In 2025, however, the Council notes that the latter has not been done sufficiently in the meantime and that the foundation at the KPCN is no longer in order.

Developments within the Caribbean in general follow each other in rapid succession. As far as the Caribbean Netherlands is concerned, the consequences of this are particularly noticeable on Bonaire. The resulting risks are also complicated by a combination of other factors. In the first place, there is a strong increase in population growth, especially on Bonaire. The graph below outlines this (source: CBS).



Without adequate anticipation of the consequences of immigration, increased tourism, inadequate infrastructure, inadequate social services and the equipping of the organisations in the judicial chain, this poses a major and undeniable risk to the stability and security of the islands. These are also reflected in increasing pressure on law enforcement. Partly because of this, the police, the military police and the correctional institution are currently confronted with increasing capacity problems, which seriously jeopardises the performance of their duties. For example, not only is basic police care under pressure, but the minimum staffing level for emergency aid is also structurally no longer being achieved. All of this is of great concern to the Council. The undermining influence of criminal networks from the surrounding regions perpetuates activities such as drug trafficking, arms trafficking and human trafficking. Poor control at the border (water and land) due to capacity problems at the Marechaussee and customs, in combination with the lack of integrated management of information-driven action and the lack of performance agreements, also plays a significant role in this context.²

² The Council has already drawn attention to this in its inspection report Immigration control and the approach to human trafficking and human smuggling.

Structure of this State

In this State of Law Enforcement, the Council first of all discusses general developments in the organisations of the judicial chain of the Caribbean Netherlands (*Chapter 1*). In doing so, the Council also reflects on the developments in response to the State of Law Enforcement last year. The Council emphatically addresses a number of worrying developments as a result of structural understaffing at the KPCN.

In addition, the persistent lack of border control on all three islands - given the alarming risks to security - receives specific attention.

In *Chapter 2*, the Council again focuses on two themes that affect both the performance of tasks and the management of the entire criminal justice chain in the Caribbean Netherlands:

- I. the integral chain coordination in the Caribbean Netherlands;
- II. the guidance from the Ministry of Justice and Security (JenV).

In *Chapter 3*, the Council draws attention to the development of a government-wide vision for the Caribbean Netherlands, aimed at tackling crime, promoting stability, justice and social cohesion. The latter is related to the increasing challenges in various areas that require a model that transcends law enforcement.

Finally, in *Chapter 4*, the Council discusses the developments in cooperation between the countries, also looking back at the previous State.

During 2024, a number of policy areas that until then fell under the Ministry of Justice and Security will be transferred to the Ministry of Asylum and Migration, which was established in 2024. Under the Kingdom Act on the Council for Law Enforcement, these areas fall under the supervision of the Council.³ This State of Law Enforcement 2024 will be presented to the Minister of Justice and Security as well as to the Minister of Asylum and Migration (AenM).

³ Kingdom Law Council for Law Enforcement wetten.nl - Regulation - Kingdom Law Council for Law Enforcement - BWBR0028075; Explanatory Memorandum Explanatory [Memorandum Rw RvdRH](#)

1. Developments in 2024

In this chapter, the Council outlines developments in the organisations of the judicial chain. In doing so, the Council also discusses border control, legislation and the results of the crime picture analysis of the Dutch Caribbean Police Force (KPCN). In an earlier State of Law Enforcement (2023), the Council painted a positive picture on the one hand because of a number of promising developments. On the other hand, it is also a worrying picture because of the imminent risks of limitations in the preconditions of sufficient capacity, management and vision on development. The fact that those risks have increased in 2024 is further highlighted in this State.

Stichting Reclassering Caribisch Nederland (SRCN)

In 2023, SRCN started a pilot mediation in criminal law. Mediation in criminal law has now become a proven suitable alternative to full or partial settlement through the courtroom for certain cases in the European Netherlands (and elsewhere). In 2024, there were 26 cases in the Caribbean Netherlands that were eligible for mediation and were referred. The Council looks forward to further development with interest.

Internally, 2024 at SRCN was all about quality improvement. For example, employees are trained to carry out internal audits of SRCN's primary and operational processes, so that the organization itself is able to work structurally on quality improvement. The goal of SRCN is to obtain the HKZ-R quality mark.⁴ By obtaining the quality mark, SRCN wants to guarantee that all internal processes are in order and that the needs of clients and clients are central. The aim is to obtain the quality mark by 2025.

The Council is of the opinion that SRCN shows that it is an organisation that continues to develop and thus makes a major contribution to the broader area of work and tasks. In doing so, the Board emphasizes the importance of internal audits of business operations, so that the organization is able to remain *in control* itself and to make timely adjustments to changes where necessary. This can serve as a *good practice* for the chain.

Public Prosecution Service (OM BES)

In 2024, the public prosecutor's office cleared the backlogs accumulated due to a lack of capacity and gained more control over the stock of criminal cases to be assessed. The parquet is at full strength (in terms of current formation) and that is important for stability and continuity.

Under the chairmanship of the Chief Public Prosecutor of the BES Public Prosecution Service, the Strategic Consultation on Justice (SOJ) took important and concrete steps for the criminal justice chain in 2024. The Council welcomes this and will come back to it in Chapter 2.

However, the Public Prosecution Service also identifies worrying developments and restrictions in the chain. This is particularly worrying for the KPCN (front of the chain) and the JICN (as the final piece of the chain), according to the Public Prosecution Service. The quality of the police files submitted by the KPCN to the Public Prosecution Service has declined overall in 2024 .

Another bottleneck identified by the Public Prosecution Service is the lack of hearing capacity at the Joint Court of Justice for Bonaire. The Council has no powers of investigation over the Common Court and has not carried out any further investigation on this point. However, the Council stresses the importance of sufficient session capacity.

Access to justice

The process of establishing a low-threshold provision for free legal assistance based on the model of the Legal Aid Desk in the European Netherlands is ongoing, albeit with some delays. It is

⁴ Harmonization of Quality Assessment in the Probation Care Sector.

expected that by the end of 2025, this legal facility will have a permanent presence on Bonaire, St. Eustatius and Saba. For the latter two in particular, this gives substance to long-standing needs and wishes. The Council is following the process of establishing this new organization in the Caribbean Netherlands with interest.

Bottlenecks in border control and decompartmentalisation of work

The Council concluded in its report Immigration Policy and the Approach to Human Trafficking and Human Smuggling (2023) that there is a major bottleneck in physical border control by the Royal Netherlands Marechaussee (KMar). The KMar had and has insufficient capacity to be able to carry out its statutory tasks on Bonaire, St. Eustatius and Saba. Although - after more than five years - the claim for expansion of the KMar has now been granted, this has not yet led to an expansion of the operational strength for the Caribbean Netherlands. There is still insufficient visibility of the coastlines and illegal landings from the sea. The Multidisciplinary Maritime Hub Bonaire was created in 2021 to intensify the cooperation between the Coast Guard, the KPCN, the KMar and Customs. The Council recommended ensuring integrated governance of the implementation of maritime patrols and the results to be achieved in the context of the maritime hub. This recommendation has not yet been taken up. As a result, patrols are (still) not information-driven and are not aimed at achieving integral results.

In 2024, the Council also received negative signals about the lack of customs checks in the ports of Saba and St. Eustatius. This is also evident from the recent crime picture analysis by the KPCN. The Council will return to this below.

Already in 2016, the KMar was commissioned by the Ministry of Justice and Security to draw up a memorandum 'Ontschotten bovenwinden'.⁵ The executive services in charge of law enforcement (KMar, KPCN, Douane-CN and coast guard) are represented there with only a small number of personnel. As a result, no permanent deployment is possible. This in itself does not have to be a bottleneck, provided that deployment with the necessary flexibility - due to the changing supply of work - is guaranteed. However, that has not been the case (for years). This can also entail major risks in the event of emergencies. The Council concludes from the aforementioned note that this bottleneck can be solved by working together in a "*decompartmentalized way*".

"Decomartmentalized" work is supporting and carrying out each other's tasks.

"Decomartmentalization" is not the goal in itself, but it allows more effective and efficient use of the available capacity. This strengthens law enforcement and contributes to safety on the islands. The basic principle is that for the time being each service will carry out its own tasks and that in the event of a temporarily increased workload, one of the other services can be called upon.

To date, this memorandum has not led to decompartmentalisation of work, but in the opinion of the Council this method offers a real solution to the increasing capacity problems. In addition, the Council sees advantages with regard to the information position of the various organisations. The Council is surprised that little has been done about this (since 2016).

⁵ Exploratory note "Decompartmentalisation Windward Islands", 1 April 2016.

Main message 1

With regard to border control:

- *Now that the financial resources for this (BES claim) have been granted, strengthen the physical border control by the Royal Netherlands Marechaussee in the Caribbean Netherlands as soon as possible.⁶*
- *Make it possible to decompartmentalize work between the Royal Netherlands Marechaussee, the Dutch Caribbean Police Corps, the Coast Guard and Customs. Make practical and operational working agreements about this. The Council suggests that the Minister make a project leader available for this purpose.*
- *Ensure integrated management of information-driven working by the relevant services within the maritime hub on Bonaire. In view of the core tasks of the Royal Netherlands Marechaussee in the Caribbean Netherlands, the Council believes it is obvious that the Royal Netherlands Marechaussee will play a directing role in this.*

Immigration

The position of coordinator of the immigration chain will be secured in 2024 in accordance with the Council's recommendation. This is an important precondition for steering on results and continuity within and for the chain.

In his response to the inspection report, the State Secretary for Justice and Security endorsed the Council's recommendation to have the further development of the dashboard as a management tool ready by 2024, to apply it and to monitor its use.⁷ However, the Council notes that this has not been achieved due to delays within the Ministry of Justice and Security and/or the Ministry of AenM, to the frustration of the immigration chain; the substantiated request for funding was already submitted to the Ministry of Justice and Security in January 2024. Despite the fact that usefulness and necessity were already clear at the beginning of 2024, partly due to his inspection report and the State Secretary's promise, the request was not approved until 2025.

The Council finds this - in view of the previous conclusions - remarkable. It has led to unnecessary discussion and delays. The ministry could (should) have managed this better.

In June 2024, in accordance with the Council's recommendation, a multi-year integrated policy vision for the Caribbean Netherlands with regard to migration was adopted by the State Secretary. It focuses on six policy objectives, including a migration policy that stimulates sustainable development and a good organisation and humane implementation of both voluntary and forced returns. With restrictive access as a starting point in the Caribbean Netherlands, the ambition is that admission will only take place if a local interest is served, there is a connection with the island or if international obligations require it.

However, it is not yet clear what this will mean for migration per island. However, this is of great importance for the functioning of the immigration chain and law enforcement in a broad sense, including for the necessary resources and human capacity at the organisations in the judicial chain. The Council therefore calls on the Minister to translate the policy vision into an implementation agenda together with the public entities.

⁶ The Council already formulated recommendations for this in both 2017 and 2024. See, for example, section 3.5 and recommendations 6a and 6b in the Inspectorate Report on Immigration Policy and the Approach to Human Trafficking and Human Smuggling in CN.

⁷ Report '[Immigration policy and the approach to human trafficking and human smuggling in the Caribbean Netherlands](#).' RvdRH, 2022

Guardianship Council Caribbean Netherlands (VRCN): organizational change

At the beginning of 2023, the Guardianship Council sounded the alarm about a number of serious problems in the organization. There was a shortage of staff, partly due to high turnover and employee absenteeism. As a result, the waiting lists increased without increasing capacity. This has led to the immediate availability of incidental funds in 2023. In 2024, additional incidental resources were added for five additional *FTEs to deal with* the situation in the first instance. In addition, preparations have also been made for an organizational advice/change process within the Guardianship Council, aimed at improving the performance of tasks and business operations. In consultation with the Guardianship Council, a change manager has been appointed by the Ministry of Justice and Security for this purpose. A two-year program plan - with accompanying budget - has been established that the team will have to work on for the next two years. This programme started in September 2024 and also provides for strengthening staff capacity in the areas of child support, H(et)ALT (Alternative) settlements, policy and council investigations. The latter because the incidental funds did not offer a structural solution. In addition, the recruitment process for the members of the Guardianship Council has taken place, which has once again fulfilled the functioning of the management model described in the law.

In the coming years, the improvement process will focus on the following spearheads:

- setting up an effective management model so that the Guardianship Council can function better within the broader judicial system;
- ensuring reliable and effective performance of statutory tasks, whereby Child Support, Central Authority and HALT require extra attention;
- optimizing business operations to increase the efficiency and quality of processes;
- strengthening internal processes and creating a flexible, agile organization, so that it can better respond to changes and challenges.

The situation at the Guardianship Council could have arisen partly due to a lack of guidance. The involvement and guidance from the ministry will have improved significantly in 2024. The Council welcomes the change task and emphasizes that it is an intensive process that requires continuous attention from those involved. The Council therefore calls for specific attention to be paid to the direction from the ministry. The small scale of the Guardianship Council and the complexity of the change task make the change process vulnerable, while at the same time the primary process must be kept intact. In the opinion of the Council, earmarked capacity (such as the change manager now) is needed to guide the organisation in this in the coming years.

Correctional Institution Caribbean Netherlands (JICN)

In 2024, the Council investigated juvenile detention within the JICN and concluded that the previous recommendations in that area had been followed. There is an adequate programme and juveniles are not detained with (young) adults.⁸

The Council does note that the facility will continuously be at and beyond the limits of its capacity in 2024. This is partly caused by a relatively large number of detainees from Venezuela who have been convicted of drug smuggling. This usually concerns persons who are apprehended on *go-fast boats* in the Caribbean Sea, without the final destination of the contraband being able to be determined. They represent about 40% of the current prison population. This concerns foreign nationals without legal residence, who will be deported after their detention.

The above is increasingly causing management problems within the JICN. A complicating factor is that these people also cause unrest among the population. A long period of staff understaffing: the turnover of staff and too little influx do not make the situation better.

The risks that are manifesting themselves in the meantime include that day programs cannot be fully run and the detention and reintegration process will come under pressure. In addition, the safety of both detainees and staff is compromised. Immigration detention can also hardly be carried out due to the understaffing of staff.

⁸ Report 'Juvenile detention in the Caribbean Netherlands', RvdRH, December 2024

This situation has led to the JICN now requesting executive assistance from the European Netherlands to the Custodial Institutions Agency (DJI). That request has since been granted. DJI will provide temporary assistance to the JICN as of May 2025.

However, this does not solve the capacity problems for the longer term. The JICN is full and the group of illegal aliens is overrepresented in it. That is why it is being considered to send foreign nationals who are close to their VI date back to the country of origin. In addition, the Public Prosecution Service indicates that it must make more critical choices at the front end about who will or will not be pre-trial detained. Persons who have been given a suspended prison sentence and who violate the conditions cannot be arrested and detained due to the capacity problems.

All in all, the Council is also concerned about the continuing capacity problems with regard to the JICN. It has acute and far-reaching consequences for the judicial chain as a whole. In addition, there is currently no concrete plan for tackling the problem in the short and long term.

The Council calls on the Minister and the State Secretary to give priority to solutions to the current problems and to come up with a plan for a structural approach that is also sustainable for the future.

In any case, the Council sees more than sufficient reason to continue the assistance from the DJI in 2026. It looks like the required influx of staff cannot be realized in 2025.

The Council also notes that the JICN – unlike an institution in the European Netherlands – cannot call on other institutions in the region. On Curaçao, Aruba and Sint Maarten (CAS countries) there are similar problems, if not worse.

Dutch Caribbean Police Force (KPCN): understaffing poses an alarming risk to basic police care

In 2024, the KPCN has focused on a number of themes to improve the performance of tasks. For example, a corps-wide fleet review was organised, leadership days and intervision sessions were designed. In the field of integrity, in collaboration with the National Police (NP), an exploration has been launched into a local Safety, Integrity and Complaints Office (VIK): a central point of contact for information, policy development, questions, research, screenings, complaint handling and monitoring. KPCN has also invested in *mental check-ups* for staff. The "*Resilience*" pilot was set up in collaboration with an external party. This pilot offers employees an accessible proactive opportunity to monitor their mental well-being and receive support at an early stage. This program will be included in the broader approach to mental health within KPCN.

Work has also been done to strengthen processes around the inflow, promotion and outflow of personnel. This theme is important for a stable and future-proof personnel structure within the KPCN. It is part of a (draft) strategic personnel plan 2026-2030 that is being written at the time of drafting this Statement.

The fact that the KPCN, as the largest and crucial pivot in the criminal justice chain, has capacity problems is not new. The Council has already drawn attention to this on several occasions, including in the State of Law Enforcement for 2023.

The investigations and regular discussions conducted by the Council in 2024 (most recently at the end of March 2025) have created an extremely worrying picture. The current staffing is no longer sufficient to guarantee basic police care (including emergency assistance to citizens) 24/7. Since the first quarter of 2024, the minimum standard for occupancy has not been met by a long shot for the majority of services.

The structural undercapacity also leads to an increased workload and disruption of other core processes within the KPCN, for example in investigation. That department has also been struggling with understaffing for years and is now forced to provide structural assistance to basic police care. As a result, the investigation process (detective) is also increasingly in trouble. Project-based

investigations into subversive crime cannot be carried out due to capacity problems or come under pressure.

The understaffing and structural overtime of staff increases the risk of absenteeism. Many police officers still show a willingness to work overtime for reasons of duty and loyalty. The prolongation of this situation may detract from this. There is also a relatively high number of mistakes and reduced compliance with quality standards. For example, the Public Prosecution Service indicates that the quality of police reports is decreasing. All of this has led to a vicious cycle in which operational risks accumulate and the organization's resilience decreases. The safety of the staff is also at stake when there is insufficient back-up/support for emergency assistance.

The maintenance of public order and safety – and the functioning of law enforcement as a whole – are therefore seriously endangered. The latter is currently especially true on Bonaire, but it goes without saying that the consequences of this are already noticeable for Saba and St. Eustatius. The Council considers the straightforward continuation of this situation to be unacceptable.

Although the KMar and the NP have been providing temporary support since February 2025 to keep emergency aid afloat in particular, it goes without saying that this is not a structural solution. The Council thus concludes that the capacity problem cannot be solved structurally in the short (and medium) term and thus foresees that assistance will continue to be needed in the coming years. As the manager of the police force, the Minister of Justice and Security is responsible for the management and quality of the KPCN's tasks. The Council therefore calls on the Minister to work with the KMar and the NP in the first place to provide structural support.

The approach also requires a number of fundamental choices, including with regard to (corps) management. In the view of the Council, it is crucial that the KPCN and the police force manager invest in strengthening the foundations of the basic processes of the force. This also includes a strategic personnel policy, aimed at sustainable inflow, retention and employability of employees in order to mitigate the risks and make the organization future-proof. As indicated above, the KPCN has already taken steps in this regard. But the force must also be enabled to actually carry out and safeguard these steps. In the opinion of the Council, the (formal) employership should also be taken into account. This is currently invested with the Rijkdienst Caribisch Nederland (RCN). The force therefore does not have an independent legal status. Partly as a result of the harmonization of the collective labor agreement in 2014, the salaries at the corps are considerably lower compared to similar positions in the region, but also with regard to the NP. This increasingly hinders the continuity of the force. Staff are increasingly leaving for other employers where they can earn more without overtime and night shifts.

The Council calls on the Minister to investigate the role that adjustments to the employer's position and employment conditions can play in tackling the aforementioned bottlenecks.

For some time now, the question has been whether a small, independent police force such as the KPCN can continue to fulfil its statutory tasks at the desired qualitative level. This is becoming more manifest in relation to the multitude of technological and social developments. This has led to the start of an exploration of the challenges facing KPCN in 2030.⁹

Although the Council realises that this type of management issue in relation to the responsibilities assigned takes time, some urgency is required in view of the risks outlined above in this State. After all, the fundamental choices facing the force also touch on this issue. The Council asks the minister, as police force manager, to pay priority to this.

⁹ The Council was also informed of this by the police force manager in a letter dated 4 June 2024.

Main message 2

General

Provide the necessary capacity within the organizations and set it up in a future-proof way. In doing so, take into account the functioning of the chain as a whole.

With regard to the KPCN

Provide structural support for the Dutch Caribbean Police Force from the National Police and the Royal Netherlands Marechaussee, including the necessary resources. At the same time, invest in strengthening the foundations/basic processes of the force and make an inventory of what this means for management.

2.Chain coordination and integrated management

SOJ and chain cooperation: positive developments and great initiatives

The Council welcomed the initiative to restart the Strategic Consultation on Justice (SOJ) in 2023. In 2024, the SOJ met several times under the guidance of an advisor from the Criminal Justice Chain Directorate (DSK) and under the chairmanship of the Chief Public Prosecutor. In 2024, this has resulted in the creation of:

- A collaborative framework;
- A vision/multi-year agenda;
- Participation of the chairman of the SOJ (HOvJ) in the directors' meeting JenV (four times a year, and more often if necessary). From both sides, this is seen as a very valuable addition, because the (strategic) points of the SOJ are better conveyed in this way.

An important part of the long-term agenda is a chain monitor to be developed. A precondition for this monitor is that the services must be able to provide valid figures. Each service is responsible for ensuring that the management information is reliable, or becomes reliable. According to the Council, this is a precondition for the development of and use of the chain monitor. The Council therefore asks for explicit attention to this and suggests that the Minister take care of this together with the organisations.

Finally, the Council calls for attention to be paid to the continuity, coordination and implementation of the SOJ's agenda. Experience in the immigration chain shows that the deployment of a specifically appointed *chain coordinator* has yielded extremely positive experiences, if not been a precondition for a number of fundamental developments in the immigration chain. In this regard, the Council refers to the Inspectorate report on immigration policy and the approach to human trafficking and smuggling in the Caribbean Netherlands.¹⁰

Integral guidance from the Ministry of Justice and Security (JenV)

In the previous State of Law Enforcement, the Council concluded that the Ministry of Justice and Security did not provide sufficient guidance in the various (policy) areas and the follow-up of the Council's recommendations. To improve this, the Minister had announced in the progress letter on the JenV Policy Agenda CN 2021-2025 that a management board would be designated as the leader of the recommendations as responsible for their implementation.¹¹ The Council referred to this as an important step forward.¹²

Despite the Minister's promise to appoint a leader for each subject, the Council notes - as in previous years - that in some policy departments within the Ministry of Justice and Security the earlier report is only taken up after the announcement of a follow-up investigation. This implies that work will continue as before, without the recommendations being taken into account. It regularly appears that progress is not monitored and there is no follow-up. The '*sense of urgency*' seems to be missing after the publication of a policy response to an inspection report. This is explained by means of a number of examples. In the Board's report after a follow-up investigation into the approach to relational violence, the Board found that several recommendations from the earlier report had disappeared from view at the department in question.¹³ In the light of the aforementioned improvement process at the Guardianship Council, the Council previously noted that the department in question had no insight into the functioning of the Guardianship Council;

¹⁰ Report '[Immigration policy and the approach to human trafficking and human smuggling in the Caribbean Netherlands](#).' RvdRH, 2022

¹¹ Progress letter on the Policy Agenda for the Caribbean Netherlands dated 12 February 2024, no. 5185898.

¹² RvdRH 2024; *State of Law Enforcement 2023*;

¹³ Directorate-General for Punishment and Protection (DGSenB)

there were no longer any active council members in the Guardianship Council, the waiting lists had increased enormously and there was a great shortage of capacity due to absenteeism and a high turnover of staff. In the meantime - as already described - the view of the Guardianship Council has improved considerably, and the department shows close involvement in the process. The Council also sees improvements in other areas such as forensic care, detention and probation. The Council encourages this and, as a result of recent discussions, expresses the expectation that the attention and involvement and follow-up of the Council's recommendations will continue to increase.

The directorate that is responsible for the deployment of the police in terms of policy and management has already placed a number of representatives on the islands for several years, including a representation of the police force manager on Bonaire and capacity within International and Caribbean Affairs for the KPCN, among others.¹⁴ The effect of local representation of the police force manager and the associated management of more complex projects is emphatically noticeable - in a positive sense - as the police force management also confirms.

The Directorate for Administration of Justice and Law Enforcement has a good information position on Caribbean affairs and plays an important role in coordinating them.¹⁵ This department is also the point of contact for the Council. The department has also stationed an advanced post in Curaçao, whose portfolio includes tackling human trafficking. This has led, among other things, to extra resources for information and extensive awareness campaigns on Bonaire, St. Eustatius and Saba, partly as a result of an inspection report by the Council.¹⁶

The directorate that deals with migration has an important role, partly in the light of the picture outlined above about immigration control and border control.¹⁷ Although the Council concludes that there are positive developments, the Council has a less positive picture of the pace and *efficiency* at which this is happening. For this, reference is made to the *dashboard* and migration policy mentioned earlier in this State. Another recent example for the chain is also the large amount of effort and effort it took to get assistance from the KMar for the KPCN. While the Directorate General of Police and Security Regions (DGPenV) and the KMar itself were ready to quickly free up capacity and deliver it to the KPCN to cope with the shortage, the same ministry imposed restrictions and conditions (*quid pro quos*) by the Directorate for Migration with regard to the assistance to be provided by the KMar (2 FTEs). The Board notes that the relevant directorate has lost sight of the shared responsibility for justice and security. The Council does not consider it appropriate for such conditions to be raised in a situation with acute risks to the safety and well-being of the people working in this domain. The Council hopes that lessons will be learned for the future.

The ministry is - logically - divided into different policy departments (directorates), each with its own responsibilities. As a result, in '*cross-management*' subjects, there is an interdependence to achieve the ultimate goal as a whole. Despite the fact that the employees of the various policy departments meet monthly within the Caribbean consultation and there is a Caribbean directors' meeting at least once a quarter, the results appear to be less effective than desired. The Council previously mentioned that the degree of involvement varies per department. This creates the impression that there is (still) fragmentation between the policy departments at the ministry, where togetherness should be a condition.¹⁸

Another example is that decisions are still made regularly, without a broader solid strategy behind them. This can lead to the relocation of problems instead of structural solutions. As a result,

¹⁴ Directorate-General for Police and Security Regions (DGPenV).

¹⁵ Directorate-General for Administration of Justice and Law Enforcement (DGRR).

¹⁶ See also: <https://bonaire.nu/2025/04/15/caribisch-nederland-versterkt-aanpak-mensenhandel-in-2025/>

¹⁷ Directorate-General for Migration (DGM).

¹⁸ Given the split of the Ministry of Justice and Security in 2024, whereby responsibilities now fall under the Ministry of AenM, this also concerns cross-departmental subjects (see also Chapter 3).

emergency solutions are still too often devised instead of sustainable, long-term strategies that address the underlying problems. This picture is confirmed in discussions with the Council.

The Council sees the indirect cause as the fact that there is sometimes a lack of (co-)ownership of the common (JenV) objectives as described, for example, in the policy agenda for the Caribbean Netherlands. The policy departments are primarily responsible for the implementation of their policy. This then results in a fragmented implementation of policy. The organisations themselves and the chain as a whole depend on concrete but interrelated actions for implementation, often in several policy areas.

The coordination on this is currently entrusted to the European and International Affairs Directorate (DEIA), within a *cluster* for Latin America and the Caribbean (LAC). The Council is of the opinion that more attention and coordination can be devoted to the Caribbean Netherlands within this role and function . Responsibility for coordination and implementation can also be assigned, for example, to a separate *Caribbean desk*.

Main message 3

With regard to chain coordination:

Organise chain coordination for the benefit of the SOJ and appoint a chain coordinator for this purpose.

With regard to integral management:

Ensure that the integrated management from the Ministry of Justice and Security is improved. The Council suggests setting up a 'Caribbean Desk' for integral coordination (between policy and implementation) and thus steering towards the follow-up of recommendations and other themes in the Caribbean Netherlands.

3. Developments for the future

Challenges and need for integrated management in law enforcement in the Caribbean Netherlands

The Council has previously noted that law enforcement in the Caribbean Netherlands faces complex challenges that put further pressure on the effectiveness and quality of the agencies involved. Limited capacity, fragile border controls, increasing organised (cross-border) crime and a lack of reliable data make it difficult to maintain the rule of law. The recent crime picture analysis of the KPCN also discusses the social and socio-economic context of the Caribbean Netherlands. Seen against this background, a vision of the development of law enforcement for a safe and just society requires an integrated approach from the government and society.

Crime image analysis (CBA): extremely worrisome

In February 2025), a new CBA was presented by the KPCN. This is based on the experiences and figures from 2020 to 2023. The Crime Image Analysis (CBA) provides an overview of crime in the Caribbean Netherlands and is an important source for setting priorities and developing policy in the field of law enforcement. The CBA also identifies the trends and risks that threaten law enforcement in the region. The findings from the CBA not only match but exceed previously described challenges faced by law enforcement organizations. And that is - in relation to the capacity problems at KPCN and the increasing population numbers - cause for great concern. This is even reinforced by more recent figures that have not yet been included in the CBA. Based on the conclusions from the CBA (up to and including the end of 2023) and the developments in 2024 that have not been taken into account, the Council has the necessary concerns. In the past year, there was a sharp increase in the number of violent incidents involving the use of firearms.

Youth problems and crime require an integrated approach

The youth problems and crime in the Caribbean Netherlands can be called disturbing. The CBA includes the following conclusion:

"Although there are concerns about youth on all islands, the influx of youth cases at the Public Prosecution Service does not seem to have increased, but in fact the extent of youth crime is not well understood. However, organisations in the healthcare sector have noticed an increase in violent crimes. The circumstances under which vulnerable young people in the Caribbean Netherlands grow up require a broad approach by all organizations that have a task in the field of youth."

It is especially important for this group to identify risks as early as possible. With an integrated approach, identification and prevention measures can be more effective. Although there seems to be awareness of the importance of this, the Council notes that there is reluctance to integrate tasks and/or activities. The Council sees this as a missed opportunity. The context of the small-scale societies in the Caribbean Netherlands offers an excellent opportunity for integrality. However, this requires a change in the view of the task packages (see also Chapter 1) and the necessary involvement and guidance from the policy departments of the respective ministries. Recent reports about the approach via 'Prevention with authority' may offer good reason to start working on this in the Caribbean Netherlands.

Work on Implementation

The Council has previously pointed out the need for a cross-departmental approach to law enforcement. In this context, the Council also refers to the government programme 'Work on Implementation' that was launched in 2021 with the aim of sustainably improving public services in the European Netherlands. Various reports have shown the need for fundamental improvements in

the implementation of government policy. One of the lines of action in the programme is to intensify cooperation and management within politics, policy and implementation in order to improve practicability and ensure continuity.

The Council suggests that the Minister should explore – in so far as this has not already been done – the extent to which this programme can be developed for the Caribbean Netherlands.

4. Cooperation between countries

In this chapter, the Council discusses two forms of cooperation between the countries that received specific attention in 2024. This concerns regional police cooperation and forensic care. Both forms of cooperation lead to an improvement in the performance of tasks and the quality of the management of the organisation involved and the chain as a whole. As far as regional police cooperation is concerned, the years of intensive commitment to actual cooperation have borne fruit. Cooperation has also been sought with regard to forensic care. However, the results of this are still difficult to measure. In practice, cooperation still requires the necessary attention. The Council will discuss the state of affairs for both topics below.

4.1 Regional police cooperation

In its State of the Netherlands 2023, the Council discussed the subject of regional police cooperation in detail. At the time, the Council already noted that there is a great need for cooperation. The cooperation between the four police forces has therefore been characterized over the past 8 years as an intensive cooperation that is bearing fruit in a positive way. This was already visible in 2022 with the financial impulse for incidental resources for the Board of Chiefs of Police (CvK). This was also based on a multi-year strategic agenda (2022-2025).²⁰

Pilot War-Room & Information Sharing

In 2024, a pilot took place in which employees brought together (police) information from all countries in a database at a physical location, the so-called *War Room Kingdom Strategy*.¹⁹ *Linking the information from the different countries in the war room provided an overarching picture of the region. Relationships between different forms of crime have been identified. This made it possible to steer the investigation on the basis of intelligence. Partly because of this success, it has already been indicated that this pilot should be continued. The Council welcomes this initiative.*

At the same time, the Council also notes that structural cooperation within information sharing is limited by legal restrictions on sharing information within the Kingdom. Although a designated National Data Protection Act is being worked on, the Council has heard varying noises about this. An interim solution initiated earlier in June 2022 has not yet seen the light of day. The Council finds it increasingly difficult to conclude that after 3 years there is still no (concrete prospect of a) interim solution, despite the fact that it was already clear in March 2023 what that solution should entail. The Council urges the ministers to bring about the interim solution as soon as possible and then also to structurally put the preconditions for information sharing within the Kingdom in order.

There is now a multi-year policy strategy and from 2026 there will be structural funding of 3.5 million euros from the Netherlands (Ministry of Justice and Security and the National Police). The structural funding allows the Executive Board to make the transition from a short-term project-based approach to a long-term strategy.

The CvK is based on '*Kingdom thinking*', the starting point being that the autonomy of each corps is strengthened through cooperation. Partly thanks to this collaboration, the corps can develop and professionalize. This is done by keeping ownership with the police forces themselves, while the

¹⁹ <https://curacao.nu/politie-van-de-eilanden-gaan-samenwerken-in-de-war-room/>

²⁰ Board of Chiefs of Police, Strategic agenda on continuation, safeguarding and development of police cooperation within the Kingdom 2022 – 2025

police forces approach initiatives integrally and jointly. By sharing scarce resources, effectiveness is increased and continuity is better guaranteed. This also strengthens the relationship, which in turn has a positive effect on the collaboration. The CvK is also intensively seeking cooperation with partners such as the Criminal Investigation Cooperation Team (RST), the Caribbean Coast Guard (KWCARIB), the Royal Netherlands Marechaussee (KMar) and Customs. The CvK emphatically states that the ultimate goal of police cooperation and its strengthening is to contribute to achieving a resilient society against cross-border and law-shocking crime.²¹

The CvK's annual plan for 2024 paid specific attention to resilience against subversion and the crucial role of regional police cooperation in this. Resilience concerns resilient employees (e.g. safe working and integrity), resilient organisations (e.g. further development of business operations and information organisations), resilient cooperation (e.g. further development in the field of information and in investigation) and a resilient society. This has been further pursued in 2024, including in the subversion platform.²²

The Board is supported by a team of seven employees. The Board has its own budget cycle (management and spending plan²³). The Executive Board is accountable in an annual report.²⁴ The state of affairs is also periodically reported in the Judicial Four-Party Consultation (JVO). The Council strongly endorses one of the conclusions in the annual report: *'together we are stronger and we can work more efficiently and effectively'*.

In 2024, the JVO indicated that regional and international police cooperation in the region should be strengthened.²⁵ The basis of the law enforcement chain is thus affected. The fact that the added value of the Executive Board is endorsed can also be seen from the now structural funding of the Board.

According to the Council, police cooperation should be seen as a *best practice*, from which other organisations and forms of cooperation in the region can also benefit.

4.2 Forensic care

Over the years, the Council has expressed its concern in various reports about the lack of facilities for carrying out forensic care and TBS and PIJ measures in the Caribbean part of the Kingdom.

In its 2023 annual plan, the Council announced the implementation of an investigation into the reception and treatment of people with a mental and/or behavioural disorder in the criminal justice system and the monitoring of the recommendations of *The European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT)*²⁶ on Curaçao, Sint Maarten and the BES islands. In the orientation phase, it emerged that a Kingdom-wide JVO working group would formulate a 'business case' in the field of forensic care, including legal and financial preconditions. The Council then decided to limit itself to monitoring this development and has since initiated periodic discussions with the chairman and members of this JVO working group.

In 2024, the JVO working group sought and found a connection with the *Kingdom Mental Health Working Group* of the Four-Country Health Consultation (Ministries of Health of the (island) countries). Both working groups are looking for solutions for people who (should) receive mental health care through the intervention of the courts. In their joint conference in April 2024,

²¹ Board of Chiefs of Police, 25 June 2024, *Strengthening Police Cooperation Caribbean, Management and Spending Plan 2024*.

²² Email of 24 February 2024 on behalf of the KPCN to the Council

²³ Board of Chiefs of Police, 25 June 2024, *Strengthening Police Cooperation in the Caribbean, Management and Spending Plan 2024*.

²⁴ Board of Chiefs of Police, 27 May 2024, *Annual Report Management and Spending Plan 2023*

²⁵ Letter to Parliament from the Ministry of Justice and Security of 13 September 2024, 5700365, p.4.

²⁶ Report to the Government of the Netherlands on the visit to the Netherlands carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT). August 2015 and October 2022.

employees from the justice chain, the judiciary, mental health care and administrators and policymakers made proposals for improvement.

The JVO working group then submitted a proposal for a programmatic approach for the JVO of June 2024, including the allocation of financial resources, expertise and support to improve forensic care in and between the countries. The ministers have agreed to the programme proposal.

The Council will continue to monitor developments closely.

Law Enforcement Council

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