



The State of Law Enforcement in Sint Maarten 2025

The Citizen's Perspective within Law Enforcement

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Law Enforcement Council
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Foreword

Introduction

The Law Enforcement Council (Council) oversees and provides insight into the various levels of the organizations within the justice system. For example, the Council not only conducts individual inspections but also provides a broader overview of developments in law enforcement and findings that go beyond the scope of individual inspections. The Council does this by publishing an annual report on the state of law enforcement (the State) for the Caribbean Netherlands, Curaçao, and Sint Maarten. The Council uses its State not only to provide an overarching picture of law enforcement and the developments and challenges within it, but also to encourage all stakeholders involved in the criminal enforcement of the rule of law to foster connections, take action, and make improvements.

State 2025 Sint Maarten

The State 2025 focuses on the citizen's perspective within law enforcement. After all, citizens must be able to trust a government that protects them and, thereby, count on a safe society. Public trust is, in fact, of immense importance for the functioning of the democratic rule of law and the legitimacy of law enforcement within it. Central to this is therefore ensuring the protection of citizens (and their rights) and the related safety of those same citizens within the democratic rule of law. Law enforcement plays a key role in this context. After all, the goal is to maintain the rule of law and public safety in a careful, adequate, legitimate, and transparent manner.

The fundamental importance of respect for human rights led the Council, in mid-2025, to exercise for the first time in its history its authority to issue a notification pursuant to Article 32 of the Kingdom Act Law Enforcement Council to the Parliament of Sint Maarten and to the Kingdom Council of Ministers. This was done to encourage immediate action in light of human rights violations within the Kingdom. Building on the foregoing, the Council also addresses cooperation and obligations among the countries.

Furthermore, the Council also highlights the two other States of law enforcement from Curaçao and the Caribbean Netherlands. By reading the three reports, a more detailed and comprehensive picture of law enforcement within the Council's jurisdiction, namely Curaçao, Sint Maarten, Bonaire, Sint Eustatius, and Saba, will be gained.

THE LAW ENFORCEMENT COUNCIL

Mr. M.I. Koelewijn, Chair

Mr. E.R.A. Morillo, Council Member

Mr. M.R. Clarinda, Council Member

Table of Contents

Foreword	3
1. Introduction.....	6
1.1 Activities of the Council	6
1.2 Status in 2024: Need for an Integrated Chain Approach	6
1.3 Status in 2025: the citizen’s perspective within law enforcement.....	6
1.4 Reading Guide	7
2. Cooperation and obligations among countries	8
2.1 Introduction	8
2.2 Safeguarding human rights (prison system)	8
2.2.1 Compliance with human rights and obligations in the prison system.....	8
2.3 Developments in forensic care, TBS & PIJ.....	11
2.4 Data protection within the Kingdom: increasing risks for law enforcement.....	11
2.4.1 Harmonization of personal data protection	11
2.4.2 Processing of police data	12
2.5 Judicial and administrative approaches.....	13
2.5.1 Judicial approach	13
2.5.2 Administrative approach.....	14
2.6 Protecting the rule of law in the Caribbean: a strategic security issue for the Kingdom	15
3. Citizen perspective, developments, and themes regarding the settlement of Sint Maarten.....	17
3.1 Introduction	17
3.2 Citizen perspective within law enforcement	18
3.2.1 Legal framework	19
3.2.2 Detention system.....	19
3.2.3 Integrity.....	22
3.2.4 Management.....	22
3.2.5 Juvenile and sex offenses.....	24
3.2.6 Public Safety & Law Enforcement.....	25
3.2.7 Cooperation	27
3.2.8 Processing of police data	29
3.3 Oversight and supervision.....	30
3.3.1 Law Enforcement Council	30
3.3.2 Submission of reports and response to the States in 2025	31

3.3.3 Systematic failure to follow up on the Council's recommendations	31
4. In Conclusion	33
Appendix 1: Published reports of the Council's Sint Maarten office	35

1. Introduction

1.1 Council Activities

The Council¹ signals², assesses³, and stimulates⁴. Based on this, the Council conducts, among other things, independent, professional, and objective inspections.⁵ In addition to reports and other activities, the Council also publishes an annual report on the state of law enforcement.⁶ The State provides a more comprehensive overview of developments in law enforcement and, among other things, looks back on the previous year. For Sint Maarten, the Council published 68 (follow-up) inspection reports on a wide range of social themes from 2012 through 2025 (see [Appendix 1](#)) and 11 States.⁷

1.2 2024 State: The Need for an Integrated Chain Approach

The 2024 State focused on local circumstances, issues, and their consequences for law enforcement, the justice chain, and society as a whole. This was in light of the need for a broader perspective in addressing local and cross-border issues. Based on the picture outlined, the Council argued in its 2024 State — focusing on the topics of youth (crime) and the need for cooperation — in particular for an integrated chain approach that transcends the justice law enforcement chain (across ministries and/or across countries).

Furthermore, the Council specifically addressed regional police cooperation and forensic care, as well as the measures of placement under supervision (TBS) and placement in a youth institution (PIJ) as areas for cooperation between the countries. The Council concluded, among other things, that cooperation in Sint Maarten in the broadest sense of the word, as well as the continuation of indispensable justice cooperation between the countries, are important prerequisites for combating local and cross-border issues. From the citizen's perspective, this means that citizens must be able to rely on a government that respects and protects law enforcement and, thereby, on a safe society. This requires continuous monitoring and, if necessary, the implementation of measures.

1.3 2025 State: The Citizen's Perspective in Law Enforcement

In this 2025 State, the focus is on citizens and ensuring that their perspective is taken into account within law enforcement. Prioritizing the interests of citizens requires, among other things, a critical examination of government actions. There are many aspects that are important in ensuring the protection of citizens and public safety. In this State, the Council examines a number of aspects that are important to citizens from the perspective of law enforcement and the Council's oversight role. This applies both at the level of cooperation between countries and at the national level.

¹ The Council consists of a total of three members, all of whom are appointed by royal decree. Pursuant to the Council Act, the Council is responsible for conducting general inspections in the countries of Sint Maarten and Curaçao, and in the Netherlands—specifically with regard to Bonaire, Sint Eustatius, and Saba—concerning the effectiveness, quality, and management of judicial organizations. Furthermore, the Council is responsible for the general inspection of the quality and effectiveness of judicial cooperation between the countries.

² The Council identifies issues by, among other things, following current events, maintaining contact with the field and the organizations, conducting interviews, monitoring internal quality assurance, and performing risk analyses.

³ The Council assesses effectiveness, quality, and management based on a protocol for conducting investigations.

⁴ In its efforts to promote improvement, the Council focuses, among other things, on the ownership of implementing organizations in following up on findings and recommendations, as well as on internal quality assurance.

⁵ The Council submits reports containing recommendations on specific topics to the Minister of Justice (MvJ). The MvJ must then send the report and his response to it to the Parliament of Sint Maarten within six weeks. See Article 30 of the Kingdom Act on the Council for Law Enforcement, Stb. 2010, 338.

⁶ The report is submitted directly to the Minister of Justice and the Parliament of Sint Maarten. See Article 33 of the Kingdom Act on the Council for Law Enforcement, Stb. 2010, 338.

⁷ <https://www.raadrh.com/reports-sxm>

1.4 Reading Guide

This State consists of this introduction and three chapters. In Chapter 2, the Council addresses the topics of safeguarding human rights, forensic care, TBS & PIJ, data protection, the judicial and administrative approach, and the protection of the rule of law from the perspective of cooperation and obligations between countries. Furthermore, Chapter 3 examines the topic of the “citizen’s perspective” within law enforcement in greater detail, and the Council also discusses its findings and activities based on the themes applied in 2025. In the final chapter, the Council presents its concluding remarks.

2. Cooperation and obligations among countries

2.1 Introduction

Law enforcement falls under the responsibility of the autonomous countries (the (Caribbean) Netherlands, Aruba, Sint Maarten, and Curaçao) within the Kingdom. Among other things, the Council monitors existing forms of cooperation between the countries. In this chapter, the Council addresses cooperation and obligations between the countries that were the focus of attention in 2025. In 2025 as well, all countries within the Kingdom endorsed the importance of cooperation to strengthen not only the rule of law but also good governance. To this end, various (structural) consultations were held, plans were made, and several work groups were established.

The countries are working together to combat, among other things, subversive crime and thereby promote integrity. In this regard, challenges for the Caribbean countries primarily persist due to limited capacity in terms of personnel and resources. The countries are therefore collaborating to obtain additional capacity, expertise, and resources.

In this chapter, the Council specifically addresses the safeguarding of human rights within the context of the detention system, cooperation between police forces, cooperation on forensic care, TBS & PIJ, and the processing of police data within the context of information and data exchange, sharing, and processing.

2.2 Safeguarding Human Rights (Prison System)

2.2.1 Compliance with human rights and obligations in the prison system

In a democratic constitutional state, respect for human rights in the prison system is of fundamental importance.

Prisons in the Caribbean part of the Kingdom

The Council has been inspecting the prison system in the Caribbean part of the Kingdom since 2013.⁸ During these inspections, the Council examines topics such as the legal status of detainees, treatment of detainees, internal security, public safety, social reintegration, and personnel & organization. Furthermore, at the request of the JVO, the Council has been monitoring the recommendations of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) for over 10 years. The lack of follow-up (on some of the recommendations) is regularly highlighted.

The prisons on the various islands each face their own (serious) problems and challenges. The Caribbean Netherlands has had a new prison since 2018. In its 2024 State, the Council discussed at length the capacity, management, and security issues and risks within the Caribbean Netherlands Correctional Facility. These issues were addressed in 2025 and largely mitigated through (temporary) measures (see also the 2025 State of the Caribbean Netherlands, Chapter 1). The physical condition of the buildings and the detention conditions in the prisons of Curaçao and Sint Maarten have been the subject of criticism for years, both from human rights organizations and supervisory bodies. However, significant developments have been underway for several years. For example, in Sint Maarten, there is intensive cooperation with the Netherlands, United Nations Office for Project Services (UNOPS), and United Nations Office on Drugs and Crime (UNODC) for the construction and furnishing of a new prison (see further Chapter 3). This

⁸ The Council has no inspection authority with respect to the prison in Aruba. At the request of the JVO, this prison is monitored by the Justice & Security Inspectorate in accordance with the recommendations of the CPT.

represents an important step toward ensuring compliance with human rights standards. The Council notes that the situation within the *Sentro di Detenshon i Korekshon Kòrsou* (SDKK) has been under structural pressure for several years. Although progress is being sought in certain areas, staff shortages and limited implementation capacity continue to significantly determine the functioning of the facility. This hinders the structural safeguarding of a humane and lawful detention regime. The Council considers there to be a real risk that these vulnerabilities will persist without targeted and sustained measures. The Council emphasizes that structural improvement is only possible if this is consistently given administrative priority and sufficient resources are allocated.

Safeguarding Function

The Charter for the Kingdom of the Netherlands (the Charter) provides the framework for the core values of the democratic rule of law. Under the Charter, each of the countries is responsible for *ensuring* the realization of fundamental human rights and freedoms, legal certainty, and sound governance.⁹ The Kingdom bears the responsibility for *safeguarding* these.¹⁰ With regard to compliance with, among other things, fundamental human rights and freedoms in their country, the autonomous countries themselves are primarily responsible. Only if an autonomous country structurally fails to do so, or does so inadequately, does the responsibility and potential intervention of the Kingdom come into play. To exercise this safeguarding function, the Kingdom's government has a set of instruments at its disposal. Given that the realization of the core values of the democratic rule of law lies with the autonomous countries, these tools serve as a last resort.¹¹ The national bodies themselves must ensure, through a system of checks and balances, that the citizens of the autonomous countries are governed in accordance with the aforementioned core values. If this does not occur, the other national bodies are first called upon to rectify the situation. Only if that fails is it the Kingdom's turn to act and assume responsibility based on its safeguarding function.

In its unsolicited advisory opinion at the end of 2024, the Council of State indicates that intervention is not the only way to fulfill the Kingdom's ultimate responsibility.¹² The Council of State points out that the countries within the Kingdom can also safeguard the realization of human rights, legal certainty, and good governance through more intensive cooperation. The Council of State states:

*'By working together on the preconditions for realizing these values, it is possible to address the issues between the countries and the Kingdom more constructively, so that citizens' problems are resolved more quickly or, at the very least, become more manageable. This is already happening in a number of areas, sometimes for quite some time (for example, with regard to the Coast Guard). To achieve this in other areas as well, the key is to view mutual relationships differently and to learn from best practices.'*¹³

Furthermore, the Council of State indicates that supervisory powers are particularly important for resolving pressing problems or preventing a problem from becoming acute.¹⁴ With regard to more intensive cooperation, it has been indicated that this is particularly important where broader policies must be implemented to address structural social problems. The Council of State further states, in the context of more intensive cooperation and complex issues of a more structural nature, the following, in which the prison and police cells in Sint Maarten also serve as examples:

⁹ Article 43, paragraph 1, of the Charter of the Kingdom of the Netherlands.

¹⁰ Article 43, paragraph 2, of the Charter of the Kingdom of the Netherlands.

¹¹ See, among others: Council of State (2024). *70 Years of the Charter for the Kingdom. Cooperation Based on Mutual Understanding*, pp. 16–17; Council of Advice (2016). *Unsolicited opinion pursuant to Article 14, paragraph 2, of the National Ordinance on the Council of Advice, concerning the settlement of disputes between the Kingdom and the countries*, pp. 2–3.

¹² Council of State (2024). *70 Years of the Charter for the Kingdom. Cooperation Based on Mutual Understanding*, p. 17.

¹³ Council of State (2024). *70 Years of the Charter for the Kingdom. Cooperation Based on Mutual Understanding*, p. 17.

¹⁴ Council of State (2024). *70 Years of the Charter for the Kingdom. Cooperation Based on Mutual Understanding*, p. 22.

*'There are also problems that are complex and structural in nature, and for which a one-time, limited intervention is insufficient. The Kingdom might then decide to assume an administrative task for a longer period. However, without its own administrative apparatus and without knowledge of the local situation, the Kingdom is less well-equipped for this. Moreover, intervention may meet with significant resistance from the local administration, while its cooperation is precisely what is needed. An illustrative example in this regard is the issue surrounding detention conditions in the prison and police cells in Sint Maarten, where the Kingdom's government ultimately decided not to intervene.'*¹⁵

In its 2025 annual report, the Council of State points out that cooperation within the Kingdom suffers from political instability in all four countries.¹⁶

Notification to the Parliaments and the Council of Ministers

Over the years, the Council has made a multitude of recommendations to improve, among other things, the treatment of detainees, internal security, and/or risk management in the prisons on Bonaire, Curaçao, and Sint Maarten. In the event that these are systematically not followed up on, the Council has the authority to escalate matters under the Kingdom Act Law Enforcement Council (Kingdom Act Council).

In May 2025, a crisis situation arose in the prison on Sint Maarten. Due to a fire and a riot, everyone present found themselves in a life-threatening situation with all the (ongoing) risks that entailed. The Council viewed the emergence and progression of the aforementioned situation in part as a consequence of years of structural negligence and systematic failure to follow the Council's recommendations. As a result, the Council felt compelled to sound the alarm and, for the first time in its history, to exercise its authority: issuing a notification pursuant to Article 32 of the Kingdom Act Council to the Parliament of Sint Maarten as well as to the Kingdom Council of Ministers.¹⁷

The Council issued this notification by means of a letter dated June 6, 2025, in which it strongly urged the Parliament of Sint Maarten and the Kingdom Council of Ministers to ensure that a workable, comprehensive approach and solution would be implemented as soon as possible to guarantee the safety and human rights of everyone in the prison. After all, an immediate solution to the existing and ongoing security situation was needed. The Council emphasized the required shared sense of urgency at both the local and Kingdom levels. The Council cited the Charter for the Kingdom of the Netherlands, which provides sufficient scope to take appropriate measures based on that responsibility to ensure compliance with (inter)national laws and regulations and (CPT) standards.

Following its notification letter, the Council closely monitored developments, held (periodic) meetings, gave a presentation upon request, and made use of media coverage. With a view to promoting safety and alleviating the burden on staff, the Council specifically anticipated the arrival of temporary capacity assistance in the first quarter of 2026. This has temporarily addressed some of the concerns and issues. The Council reiterates here its overall concerns and calls for continued attention to the still-prevalent, extremely vulnerable, and persistently risky detention conditions in all the prisons.

Key Message

The Council emphasizes its overall concerns and calls for continued attention to the still-prevalent, extremely vulnerable, and persistently high-risk detention conditions in all the prisons.

¹⁵ Council of State (2024). *70 Years of the Charter for the Kingdom. Cooperation Based on Mutual Understanding*, p. 26

¹⁶ <https://www.raadvanstate.nl/jaarverslag2025/>; <https://dossierkoninkrijksrelaties.nl/2026/04/16/rvstate-koninkrijksrelaties-in-het-gedrang-door-politieke-instabiliteit/>

¹⁷ Article 32 of the Kingdom Act on the Law Enforcement Council.

2.3 Developments in forensic care, TBS & PIJ

In the 2024 State, the Council called attention to the lack of an adequate system for forensic care, TBS, and PIJ. This poses security risks.

This care is essential for individuals with psychiatric or behavioral issues who have come into contact with the criminal justice system, both from the perspective of treatment and the protection of society. Within the Four-Party Consultation on Justice (JVO), it was agreed in 2024 to work on a multi-year, Kingdom-wide program aimed at strengthening forensic care, TBS, and PIJ measures.¹⁸ In 2025, the work group continued to make concrete progress on the multi-year program. However, the program's progress has been delayed. The JVO in January 2025 did not take place, and the JVO in June 2025 was rescheduled for September 2025. At the same time, various initiatives in the field of forensic care are underway in the countries, and the Council views these positively. For example, a seminar titled *"Psychiatric and Psychological Reporting Access to Forensic Care in the Caribbean IV"* took place in Curaçao in November 2025.

Although a commitment has been expressed and programmatic steps have been taken, the actual implementation is still in its early stages. As a result, it is not yet clear when concrete improvements in the availability of forensic care will be realized.

In addition, in the run-up to the multi-year plan to be implemented, the countries have expressed concerns and identified risks regarding the care and treatment of people with a mental and/or behavioral disorder who are already in the criminal justice system or in the enforcement phase of an imposed sentence or measure. The Council shares these concerns. This is based on the principles of the proper administration of criminal justice, the humane treatment of those involved, and the safety of society. Partly for this reason, all the Council's offices will carry out an inspection in 2026.

Key Message

The Council emphasizes that forensic care is a crucial prerequisite for the effective functioning of law enforcement. The Council calls on the ministers to take concrete measures that will lead to the availability of adequate forensic care capacity in the short term. The Council will continue to monitor the situation closely.

2.4 Data Protection within the Kingdom: Increasing risks to law enforcement

2.4.1 Harmonization of personal data protection

For effective law enforcement, it is essential that the police, the Public Prosecutor's Office, and other partners in the chain be able to exchange personal data in a timely and lawful manner, including for the purposes of investigation, prosecution, border control, and the fight against organized and subversive crime. The Council shares the concerns of the BES Personal Data Protection Supervisory Commission regarding the necessary level of and the consequences for the protection and exchange of police and judicial data within the Kingdom of the Netherlands. The level of protection within the Caribbean part of the Kingdom is not equivalent to the level in the European part (AVG). This creates legal uncertainty regarding the lawfulness of data processing and data exchange within the law enforcement chain in the Kingdom. Insufficiently clear legal safeguards can have consequences not only for the protection of citizens' fundamental rights, but also for the feasibility of carrying out law enforcement tasks. Police and judicial data belong to the most sensitive categories of personal data.

¹⁸ Parliamentary Papers II 2025/26, 36800 IV, No. 22.

In recent years, the JVO has focused specifically on the harmonization of personal data protection, the sharing of police, judicial, and criminal procedural data, the coordination of information, and the Foundation for Managing ICT in Law Enforcement (SBIR). The goal is a harmonized minimum level of data protection. In the JVO of January 14, 2021, it was decided to prepare a consensus Kingdom law, with the aim of achieving a harmonized higher level of protection and simpler data exchange within the Kingdom.¹⁹ The Council already noted in its 2023 State that, given the fact that the legislative process will take several years, a temporary solution would need to be found for the sharing of police data. In its 2024 State as well, the Council noted that structural cooperation regarding information sharing is being hindered by legal restrictions on sharing information within the Kingdom.

Several years ago, it was announced that a solution for the exchange of police data would be developed for the interim period, in order to maintain structural cooperation between police services within the Kingdom. More than four years later, that solution is still not in place, with all the consequences that entails. As a result, as far as the Council can determine at this time, there is no clear and stable legal framework. The operational need for data exchange remains undiminished.

This situation poses serious risks to the continuity and effectiveness of cooperation within the law enforcement chain in the Kingdom. If the level of protection cannot be deemed adequate, this may lead to partners in the chain becoming more reluctant to share data or having to implement additional safeguards. This applies in particular to the sharing of data from the European Netherlands with the Caribbean part of the Kingdom.

The Council once again points out the time-consuming legislative process that must be completed and that the bottlenecks will continue to exist in the meantime. The Council therefore urges the Ministers, as it did last year, to bring about a solution as soon as possible and subsequently to structurally address the preconditions for information sharing within the Kingdom.

2.4.2 Processing of police data

The protection of personal data in general is still (largely) in its infancy in the Caribbean part of the Kingdom. This applies not only to appropriate legislation but also to its application and protection in practice. For example, both Curaçao and the Caribbean Netherlands have a Personal Data Protection Supervisory Committee, but such a committee is lacking in Sint Maarten. As indicated, police and judicial data belong to the most sensitive categories of personal data. The Kingdom Police Act of Curaçao, of Sint Maarten, and of Bonaire, Sint Eustatius, and Saba requires the police of Curaçao, Sint Maarten, and the Caribbean Netherlands to exchange police data if necessary for the proper performance of police duties.²⁰ With a view to ensuring the exchangeability of data, the countries must establish a mutual arrangement, which has been done. Furthermore, the Kingdom Police Act also stipulates that each of the countries shall establish rules regarding the exchange of police data in accordance with the mutual agreement. In Sint Maarten, this is elaborated in the National Police Ordinance, and in the Caribbean Netherlands in the Police Data Act, there are no such rules in Curaçao yet, but a draft National Ordinance on Police Data is currently being developed. Regarding the supervision of the processing of police data, the BES Personal Data Protection Supervisory Committee is responsible for this in the Caribbean Netherlands. In Sint Maarten, this is the Law Enforcement Council, and for Curaçao, supervision has not yet been formally established.

¹⁹ Parliamentary Papers II 2023/24, 36 455.

²⁰ See Article 39 of the Kingdom Police Act.

Within the broader context of the complex field of personal data protection — and more specifically the processing and sharing of police, judicial, and criminal procedural data — the Council is concerned about the necessary infrastructure and associated resources required to ensure this matter is handled in accordance with the rules and requirements. The nature of the subject presupposes and therefore also requires cooperation within and between the countries. The Council notes that this awareness exists and that cooperation is being sought; however, it is not developing at the necessary pace. This is essential in a rapidly changing world with many risks at various levels. Therefore, properly addressing this issue is also crucial for the judicial approach within the various countries (see below).

Key Message

The Council considers it important that a demonstrably equivalent level of protection for personal data be established in the short term, particularly for police and judicial data, including adequate and independent oversight. Without timely clarity regarding both a structural and a temporary legal framework, there is a real risk that data exchange within the law enforcement chain will come under legal pressure, making cooperation within the Kingdom less effective and hindering the conduct of investigations, prosecutions, and the fight against cross-border crime. The Council considers this, given the importance of effective law enforcement and legal protection within the Kingdom, to be a situation that should be avoided.

2.5 Justice and administrative approaches

2.5.1 Justice approach

The scope of the justice institutions in the Caribbean part of the Kingdom is not limited solely to the (island) countries of the Kingdom. Analyses by *InSight Crime* and others emphasize that the Caribbean region functions as a logistical hub within international criminal markets, where the flexibility, mobility, and adaptability of criminal networks are central. After all, criminals do not respect borders.

Against this backdrop, (strengthening) justice cooperation — including, in particular, police cooperation — is not merely a matter of efficiency, but a structural necessity. Justice cooperation between countries has been encouraged for years. The Council also devotes the necessary attention to its importance. Although results vary, the successful examples demonstrate its necessity and utility. Using the example of the Board of Police Chiefs (CvK), the Council will once again emphasize the importance and opportunities for cooperation.

In its States of recent years, the Council has devoted considerable attention to the subject of regional police cooperation. This cooperation has, par excellence, developed into a best practice within the Kingdom. In 2024, the Council wrote the following, among other things, regarding the Board of Police Chiefs:

“(...) In the Council’s view, police cooperation should be regarded as a best practice from which other organizations and forms of cooperation in the region can also benefit.”

The Council continues to endorse this in 2025. Thanks to this form of cooperation, the various police forces involved have been able to develop and professionalize themselves in 2025 as well and further expand their cooperation with one another and other partners.

The development of the Board of Police Chiefs stems from a context in which small-scale law enforcement organizations are confronted with cross-border phenomena such as drug trafficking, human trafficking, and money laundering. This creates an inherent tension between territorially organized police capacity and the characteristics of modern cross-border crime. This development underscores the importance of (international) cooperation.

The institutionalization of cooperation within the CvK, supported by multi-year strategies and the structural funding provided since 2026, marks a shift from ad-hoc cooperation to a more integrated and strategic cooperation model. In this regard, the development of information-driven cooperation is particularly important. Initiatives such as inter-insular information platforms, joint analytical capacity, and the strengthening of intelligence functions point to a transition toward a network-oriented approach to law enforcement (including the DGO Information Strengthening Project (DGO), the Platform of Heads of Information Organizations in the Caribbean (PIOC), Inter-Insular Coordination Platform, and the Caribbean National Police Information Cell (IIICP)). This development aligns with broader insights within law enforcement, which show that effectively combating organized crime depends on the extent to which information exchange, joint situational awareness, and coordination among actors are achieved.

In 2025, the CvK signed a memorandum of understanding with the Caribbean Community (CARICOM) Implementation Agency for Crime and Security (IMPACS) to further strengthen regional cooperation in the field of security. The goal is to combat illegal arms trafficking and organized crime more effectively in the Caribbean. In June 2025, a five-day forensic training session took place on Sint Maarten, followed by a new training session in September on gun violence and organized crime. In the area of cybercrime, the countries are supported by the Cybercrime Fusion Center in Barbados. This cooperation builds on the long-standing collaboration within the CvK. Through practical agreements and intensive information sharing, this can make the Caribbean region more resilient to violence, cyber threats, and transnational crime.

The further development of the CvK and the associated information infrastructures represent an important step in strengthening the resilience of law enforcement in the Caribbean. At the same time, practical experience shows that this development cannot be viewed in isolation from institutional preconditions. Legal restrictions on data sharing (previous section), differences in organizational maturity (*imbalances*) between organizations (and countries), and structural funding and capacity issues constitute potential obstacles to the effectiveness of cooperation and, consequently, the effectiveness of law enforcement. This requires more than just attention from the countries; it also demands a genuine commitment to addressing these issues, both in terms of quantity and quality.

2.5.2 Administrative Approach

The current complex crime problem and the sustainable strengthening of the cooperation model as mentioned above, within the justice system, also requires an expansion into other domains, such as administrative enforcement. The use of administrative instruments, for example in the fight against money laundering or human trafficking, can offer solutions that benefit criminal enforcement, alleviate pressure on the criminal justice system, and have an additional preventive effect. The Council therefore encourages the establishment of a work group to promote the administrative approach within Aruba, Curaçao, Sint Maarten, and the Caribbean Netherlands, initiated by the JVO.

For the administrative approach as well, the extent to which this can actually be realized will depend to a significant degree on the further institutional anchoring of the same preconditions as those for the justice

approach, namely cooperation, the availability of structural funding and capacity, and the development of a coherent legal and administrative framework.

2.6 Protection of the rule of law in the Caribbean: a strategic security issue for the Kingdom

Introduction

The protection of the rule of law is a core responsibility of the Kingdom. In the Caribbean part of the Kingdom, this rule of law is under increasing pressure. Geopolitical tensions in the Caribbean region, combined with transnational crime, migration flows, and the limited enforcement capacity of justice organizations, make the resilience of the rule of law a strategic security issue.

The rule of law as a constitutional foundation

The rule of law encompasses the entirety of norms, institutions, and enforcement mechanisms that guarantee the protection of fundamental rights, public order, and legal certainty. The Charter stipulates that the safeguarding of fundamental human rights and freedoms, legal certainty, and good governance constitutes a matter of the Kingdom. The Council also discussed the safeguarding function in the context of prisons. The safeguarding function takes on particular significance in the Caribbean, where a small administrative scale, geographical location, and socioeconomic vulnerability converge. Here, the rule of law functions not only as a legal framework but as an essential foundation for social stability, economic development, and trust in public administration and the justice components of the rule of law. This therefore requires a strategic approach to jointly address the complex and structural challenges. It is up to the countries to collaborate, using the available (legal) options and instruments, to ensure the protection of the rule of law. This requires that the organizations fulfilling their roles within the constitutional system of checks and balances be adequately equipped.

Geopolitical context and security risks

The prolonged political and economic crisis in Venezuela has led to instability in the region. These developments are increasing the pressure on the justice system of the islands, which is simultaneously confronted with limited personnel capacity and logistical vulnerabilities. The geopolitical significance of the Caribbean has increased in recent years due to shifts in international power dynamics, strategic maritime interests, and the military presence of external actors. For the Kingdom of the Netherlands, this means that protecting the rule of law in the Caribbean is not merely a local governance issue, but forms part of national and international security.

The role of the justice system

Within the Caribbean Netherlands, Curaçao, and Sint Maarten, the justice chain serves as the executive instrument through which the rule of law is concretely upheld. Effective law enforcement requires chain coherence, professional expertise, integrity, and continuity. For all these countries, this responsibility stems from both the Charter and, for the Caribbean Netherlands, from the constitutional status of the public entities as an integral part of the Netherlands.

In successive reports, the Council has identified structural bottlenecks within the justice system, including staff shortages, high workloads, vulnerable operational management, limited IT resources, and insufficient coordination across the system. These findings are consistent and system-wide in nature. The Council emphasizes that addressing these issues requires a shared vision and a resulting approach to ensure that the legal system as a whole remains the foundation for its continued stability.

Key message

Protecting the rule of law in the Caribbean part of the Kingdom requires a coherent system of enforcement, oversight, and administrative accountability. In a region where geopolitical tensions, disruptive crime, and administrative fragility converge, the resilience of the rule of law is of strategic importance. A well-equipped justice system forms the backbone of this resilience. The Council therefore **once again** urges the ministers to ensure that justice organizations are equipped with the financial resources and capacity needed to be future-proof.

The Council considers it important that the policy intentions set forth be translated into feasible and concrete measures with a clear timeline, so that the identified vulnerabilities in law enforcement are reduced in a timely and effective manner.

3. Citizen’s perspective, developments, and themes regarding the Sint Maarten office

3.1 Introduction

Public trust is of great importance for the functioning of the democratic rule of law. It is, in fact, the basis for the legitimacy of the government. The goal is a safe society to which everyone contributes. A lack of trust hinders the maintenance of security because laws and regulations are then less frequently complied with. It is therefore important to always keep the citizen’s perspective in mind within law enforcement. In its 2016 State, the Council addressed, among other things, the rule of law and what that means for citizens. It stated:

‘The criminal justice system operates within the context of the rule of law. Citizens enjoy freedom, legal certainty, and equality before the law. Citizens also enjoy protection of their rights and freedoms, and are protected against other citizens and the government. In a state governed by the rule of law, the government — including the police, the Public Prosecutor’s Office, the Probation Service, and the prison system — is bound by laws, rules, and customs. The structure and implementation of these must be such that the government cannot and must not abuse its power. The citizens of a state governed by the rule of law enjoy fundamental freedoms and rights. (...)’²¹

In this context, the Council identified several key components of the rule of law (27) that apply to actors in the law enforcement chain, of which the components of human rights, protection of personal data, integrity, checks and balances, parliamentary oversight, victim support, and trust are particularly relevant here. All of the components mentioned played an important role in 2025, more on which later.

2024–2028 Coalition Agreement

A recurring principle of the Ministry of Justice in the 2024–2028 coalition agreement is the citizen’s perspective, as illustrated, for example, by the following text:

‘By striking a balance between prevention, enforcement, and rehabilitation, Sint Maarten can build a justice system that not only upholds the rule of law but also protects its (socio-)economic future. A well-functioning legal system fosters public trust and enhances the island’s appeal to residents, visitors, and investors. The goal is a society where all people — whether they live, work, or visit Sint Maarten — feel safe, supported, and protected.’²²

In the aforementioned coalition agreement, the Ministry of Justice adopts a holistic government approach, a broad government strategy with accompanying cross-ministerial cooperation and shared responsibility, strengthening and updates in various areas, and necessary (joint) approaches, investments, and prevention. The following topics are therefore on the policy agenda for the period 2024–2028:

- Improving cooperation with the French side;
- Shared responsibility for justice and security;
- Building a fairer and more effective legal system;
- Strengthening the Ministry of Justice;

²² See page 102 of the 2024–2028 Coalition Agreement

- Strengthening law enforcement and crime prevention;
- Modernizing border control, customs, and immigration;
- Prison reform and reducing recidivism;
- Youth and social justice: foster care and prevention of juvenile delinquency;
- Prevention of financial crime & compliance;
- Pursuing the legislative agenda;
- Investing in a just and safe future.

Although the period in question is still ongoing and the agenda is formulated in fairly general terms, concrete (or more concrete) plans and/or actions regarding some of the topics mentioned can be seen in the developments for 2025 outlined in this State (section 2.2 and following). In its previous State, the Council also indicated that cross-ministerial cooperation and shared responsibility are necessary to address the current complex issues facing Sint Maarten, as well as those that transcend ministerial and national boundaries. This remains fully applicable for 2025.

3.2 Citizen Perspective within Law Enforcement

Significance of the citizen's perspective

Law enforcement and the administration of justice are among the core tasks of the government in countries to protect the safety of individual citizens and society as a whole. In doing so, significant resources may be deployed and measures taken that have a profound impact on citizens. The significance of the citizen's perspective within law enforcement is that citizens must be able to trust that organizations in the justice system act fairly. This means that these organizations must, at a minimum, comply with standards and rules. If this does not happen, citizens may expect the system to be capable not only of identifying such issues but also of correcting them. The value of inspections for citizens, therefore, lies in assessing the extent to which standards and rules are being followed and, if necessary, making recommendations for improvement. An eye for the citizen's perspective is therefore an integral part of the quality of the functioning of the organizations in the justice chain. Justice organizations (and thus the chain) must therefore prioritize the citizen's perspective and think and act from this perspective.

Activities and Developments

Looking back on the year 2025, the Council's information position, its risk analysis, specific events, and more particularly the citizen's perspective translated into various themes used by the Council for its inspections, the exercise of its powers — such as the Council's ability to scale up its powers — and the conduct of unannounced inspections. In addition, as a supervisory body, the Council focused on its own internal organization by implementing an updated multi-year and organizational plan. In 2025, many developments took place within law enforcement across various areas. This occurred at the organizational level, the national and international levels, as well as within the region and at the Kingdom level.

More specifically, the Council has selected the following themes for 2025 to guide its activities, including inspections: the prison system, integrity, youth and sexual offenses, management, public safety and enforcement²³, and cooperation between countries. Based on various themes, the Council discusses below the inspections and activities it carried out, as well as various developments in 2025 that were

²³ Since 2026, the Council has adopted a broader definition for this theme to better cover its scope, namely integrated safety & enforcement.

significant, particularly from the citizen's perspective. Within this context, the significance of these developments can then be assessed based on the information provided. The Council notes in advance that, because there were many specific developments, the Council will consistently cite examples.

3.2.1 Legal Framework

As previously indicated, within a democratic constitutional state, the legal framework, compliance with it, and its enforcement are indispensable. It ensures that society is safe and orderly and safeguards the rights and freedoms of citizens. Law enforcement, among other things, operates within this framework. It is therefore very important that laws are up to date, meet contemporary needs, and are as future-proof as possible or respond to (upcoming) developments. All of this ultimately benefits the citizen. For years, the Council has noted in virtually every thematic inspection that there is a backlog in the drafting, updating, and/or implementation of (implementing) legislation and in the establishment of policies and plans in the field of law enforcement. A contributing factor is that legislative capacity has been subpar for many years. This puts pressure on the necessary legislation, with all the consequences that entails. In 2025, the Ministry of Justice focused, among other things, on obtaining technical assistance in the area of drafting legislation, and that assistance was recently secured and formalized.

Noteworthy for 2025 is the legislative process for modernizing criminal procedure law with a new and uniform Code of Criminal Procedure. This process has been largely stalled for several years now. This remains the case in 2025. Progress and implementation vary across the countries. For instance, Aruba already implemented the Code in 2024, and Curaçao is expected to implement it in early 2027. No concrete timeline has yet been announced for Sint Maarten. The new Code of Criminal Procedure will, among other things, provide the necessary improved protection for suspects and victims. The Council once again emphasizes the importance of progress on this issue.

3.2.2 Prison System

3.2.2.1 Prison system: Point Blanche Prison

The close and fruitful cooperation between Sint Maarten, the Netherlands, and UNOPS continued in 2025. As previously indicated, the project for the construction of a new prison and its financing is ongoing; however, short-term needs and the associated risks must not be overlooked. Like others, the Council was deeply concerned following the fire and riot in May 2025 about the safety of inmates, staff, and visitors, as well as the ongoing capacity problem. The assistance provided to Sint Maarten by the various countries in the Kingdom and by UNOPS following the incident was significant. The Council views this as an excellent example of the added value of cooperation in practice and greatly appreciates everyone's efforts to mitigate the risks that have arisen and continue to exist. Furthermore, a program manager has been appointed, and an agreement was signed with the United Nations in August for a four-year rehabilitation program in the prison. Subsequently, the Ministry of Justice officially launched the Detention Sector Reform Program in October. The program is designed to reform the detention chain in favor of a modern, safe, and humane detention system. The program is supported by the Ministry of the Interior and Kingdom Relations and the National Recovery Program Bureau and implemented in collaboration with UNOPS and UNODC. UNOPS is responsible for the construction of the prison (hard components), while UNODC focuses on the so-called soft components, such as support for strengthening management, staff

training, and rehabilitation programs. They will also provide support for the recruitment campaign, for example. Furthermore, the official groundbreaking for the new prison at Point Blanche took place in January 2026. Additionally, a temporary solution for capacity that was implemented in 2025 bore fruit in the first quarter of 2026. In collaboration with Suriname, arrangements have been made for a group of prison guards to provide temporary support at the prison for one year. The Council hopes that this temporary support will be put to good use.

Judicial and Institutional Services (J&IS)

In 2025, J&IS had access to and utilized many opportunities (including training and certification). Furthermore, intensive efforts were made to collaborate with and provide (potential) new services to (chain) partners. In the field of probation work, the topics of sexual offenses, domestic violence, and the use of weapons frequently arose. J&IS also observes that the problems are worsening and cases are becoming more complex; however, consequences often fail to materialize. Noteworthy is the collaboration between the probation branch of J&IS and the prison. In particular, 2025 saw a change in the limited presence of probation services in the prison during detention. Probation services are now involved earlier during detention and also offer various training sessions, activities, and workshops, including aggression management and cognitive skills, which are well-attended and promote reintegration. However, staff shortages within the prison do play a role in the feasibility of these efforts. Furthermore, the prison is at capacity, resulting in more individuals being referred to the probation service, which leads to an increase in workload and the (potential) introduction of a waiting list. Due to the additional workload, J&IS cannot fully carry out its core tasks, which may increase the risk of recidivism. Funding therefore plays a significant role. J&IS is attempting to bring these issues to the attention of those responsible and to engage in dialogue with them.

Mental health care

In 2025, the government's Mental Health Project continued. This included, among other things, continuing the collaboration with the Trimbos Institute and others to improve mental health care on the island, as well as the decision to fund a new building for the Mental Health Foundation (MHF). This marks an important step toward the long-needed modernization and restructuring of mental health care. This should also benefit the justice system, given that organizations within the system also (regularly) come into contact with people experiencing mental health issues.

Within the justice system, the lack of forensic care is a major concern, which is being addressed at the Kingdom level. At the local level, the MHF currently has no role or responsibility in this area, but they indicate that it could be an option in the future. The MHF sometimes provides assistance with ad-hoc solutions, though these carry significant risks. Furthermore, in 2025, the Ministry of Justice's financial payment issues in particular hindered the relationship and cooperation between the MHF and the Ministry of Justice (particularly the prison system), as well as the MHF's potential provision of services to the Ministry of Justice. This resulted in the MHF providing almost exclusively crisis assistance. However, the MHF does engage in structural cooperation with the Public Prosecutor's Office (OM), the legal profession, and the Court in the context of hearings. Currently, the MHF and the Ministry of Justice are working to clarify the roles and responsibilities of each organization involved in the issue, to explore the possibilities, and to strive to formalize agreements. Furthermore, capacity issues play a role for all parties. A notable milestone in 2025

from the citizen's perspective is the legal enshrinement of free legal aid for individuals with mental health issues within a compulsory framework.

The Council notes that forensic care lies at the intersection of various ministries and also requires specific expertise. This means that intensive collaboration will be necessary from a holistic perspective. This is also in light of the fact that the MHF reports an increase in clients, many of whom face multiple challenges, such as addiction and mental health issues. Furthermore, the Turning Point Foundation (TPF) indicates that much crime is committed under the influence. Due to these dual issues, there is regular consultation between the MHF and the TPF. Structural solutions in this area will benefit not only the individual citizens facing these issues but also those directly or indirectly affected by them.

3.2.2.2 Council Activities: Detention Inspections & Monitoring

Since 2016, at the request of the JVO, the Council has been monitoring the implementation of the CPT's recommendations. The Council incorporates these recommendations into its own inspections of specific topics and the monitoring of its own recommendations. The Council conducts this monitoring annually, including in 2025. The most recent topics concern the monitoring of developments regarding the care and treatment of people with mental and/or behavioral disorders within the criminal justice system, an inspection of the treatment of detainees, social reintegration, and the monitoring of isolation cells.

The care and treatment of people with mental and/or behavioral disorders within the criminal justice system.

In its 2023 annual plan, the Council announced the implementation of an inspection into the care and treatment of people with mental and/or behavioral disorders within the criminal justice system, as well as the monitoring of the CPT's recommendations on this matter in Curaçao, Sint Maarten, and the Caribbean Netherlands. During the exploratory phase, it emerged that a Kingdom-wide JVO work group would formulate a "business case" in the field of forensic care, including legal and financial preconditions.²⁴ The Council subsequently decided to monitor these developments and has since initiated periodic discussions with the chair and members of this JVO work group. This continued in 2025. The monitoring conducted over the past two years has led the Council to conduct an inspection on this subject in 2026.

Penitentiary institution: Inspection into the treatment of inmates, social reintegration, and the monitoring of isolation cells.

In 2025, the Council assessed the implementation of previous recommendations made by the Council and the CPT regarding the Sint Maarten prison and also assessed the condition and use of three isolation cells (prison) and one isolation room (MHF). The Council noted that eight years after the previous inspection, several recommendations had still not been implemented. Insufficient steering from the Ministry plays a role in this. For years, the Council has pointed out the negative consequences — which ultimately affect the public — of the (structural) lack of steering regarding the Ministry's follow-up on recommendations. The construction of a new prison also offers hope, but the Council remains seriously concerned about the limited opportunities for the reintegration of the current group of inmates due to the known bottlenecks. Continued attention is also needed for the staff. The renovated isolation cells (prison) and the isolation room (MHF) meet the assessed standards. However, the prison's isolation cells are being used for other purposes, with all the undesirable consequences that entails. With regard to the isolation room (MHF), a

²⁴ [Parliamentary Document 29279, No. 838 | Overheid.nl > Official Announcements](#)

positive trend toward more outpatient care is evident. By ensuring proper care and treatment and a commitment to the social reintegration of a prisoner, the focus is not only on the prisoner's own opportunities and reducing recidivism, but also on increasing safety in society and thus that of the public.

3.2.3 Integrity

3.2.3.1 Integrity within the justice system in 2025

Integrity forms the foundation of a well-functioning organization, particularly in law enforcement. Public trust in organizations within the justice system is earned when staff demonstrate integrity, are accountable, comply with laws and regulations, and are subject to effective oversight. The subject is of such importance that it requires continuous attention within an organization. Several integrity issues at various justice organizations have also appeared in the media. More specifically, there were also several reported cases of (alleged) sexual misconduct in the workplace within the justice system. Furthermore, various organizations within the justice system are focusing on the topic of integrity through measures such as raising awareness, addressing the topic during meetings, and/or providing training. Several symposia were organized in 2025, including one by the Sint Maarten Integrity Chamber on whistleblowers.

The Council also reiterates here the role and importance of the National Detectives within the framework of government integrity. By, among other things, investigating, taking action against, and generally combating corruption and fraud, as well as addressing incidents of police violence, the National Detectives safeguards integrity and thereby contributes to public trust. The need to adequately equip the National Detectives to properly carry out its duties remains. The bottlenecks already identified in previous inspections persisted in 2025. The Council will conduct a follow-up inspection in 2026 to assess the extent to which the recommendations made have been implemented.

3.2.3.2 Council Activities: Screening of Justice Personnel

Justice personnel must possess integrity, in part because they work with sensitive information. The screening of justice personnel is a measure to promote integrity within the organizations. In 2025, the Council also inspected, in the interest of the citizen's perspective, the extent to which applicants and employees are (re)screened in accordance with the law. The inspection report will be published in 2026.

3.2.4 Management

3.2.4.1 Management in 2025

With regard to the legal status of justice staff in 2025, the process of placement of justice staff continued and has not yet been fully completed. Furthermore, the function book and pay scales for the Coast Guard (KW) (Sint Maarten substation) have been formally established, thereby consolidating, among other things, the growth potential toward a 24/7 and information-driven Coast Guard. Additionally, there will be an expansion of the radar system in terms of equipment and within the framework of maritime situational awareness. Although positive, this will have consequences for search and detention capacity. As in previous years, financial, personnel, and material capacity will remain an overall bottleneck throughout 2025 for both the Ministry and virtually all services. A structural solution to the capacity problem remains elusive due to the "small pool" from which all organizations draw. The visible imbalance between local services and those within the Kingdom persisted in 2025. The Council points out that the nature of the work of the various

services requires specific necessary resources and also means that, given the shortage of capacity and (financial) resources, it is not permissible to fail to perform certain tasks and/or to cut the budget for certain matters. Several critical positions remain unfilled (on a permanent basis), including the head of the Immigration and Border Protection Services (IGD) and a head of Judicial Affairs. The Council notes that, in practice, it occurs that positions that have become vacant depending on the calendar year are no longer budgeted for. This is despite the fact that filling these positions is crucial in light of an ongoing capacity shortage. The Council has repeatedly emphasized the importance of continuity for the performance of duties by both the Ministry and the various justice services. Good management and oversight by those responsible are therefore issues that require constant attention.

In 2025, there were also several bottlenecks within the Immigration and Border Protection Services, including a backlog in the processing of residence permits. In 2025, the IGD focused on digital transformation and the modernization of its services. To this end, the IGD is primarily working on a new “Immigration Management System” and training for it. Furthermore, the IGD is seeking to fill various critical positions, including that of a new director. In addition, the border detention center gained six new staff members in 2026 and began addressing fire safety issues, which benefits the overall safety of everyone present. Finally, the National Reporting Center was further rolled out in 2025. As part of efforts to strengthen border control, the border hospice will be renovated, and collaboration with the Royal Netherlands Marechaussee is underway.

There are also positive developments to note. Despite the challenges, particularly in the financial area, various recruitment and/or training initiatives took place in 2025. These include:

- The Coast Guard, in collaboration with the University of Sint Maarten, has established a program to better prepare potential candidates for the Coast Guard Basic Training;
- Various (management) training courses: advanced training for team leaders; crisis management training; specialized investigative leadership training; training in financial crime scripting; training in combating cross-border identity fraud and intercepting counterfeit documents;
- Various basic training programs began in 2025, such as the sixth class of the Sint Maarten Police Force Basic Police Training Program, the Customs Basic Training Program, and the Coast Guard Basic Training Program.

Finally, in the context of management, the Council reiterates its call to pay specific attention to the physical and mental resilience of justice personnel. These individuals dedicate themselves day and night to the safety of us all, while the necessary conditions are often not met or the resources required to safely (continue to) perform their work are not made available. This not only leads to frustration but also to staff turnover due to illness and subsequent resignations, posing serious risks in practice. The foregoing affects the quality of the functioning of the organizations in the justice system and, consequently, the services provided to the public.

3.2.4.2 Council Activities: Third Follow-up inspection on the Crime Prevention Fund

A government that imposes rules on citizens and enforces them must also comply with its own regulations. The Council has already noted in previous years that this is not always the case. This was also true in 2025 with regard to the management of the Crime Prevention Fund. Various stakeholders also focused on the Crime Prevention Fund and its management. From the perspective of good governance²⁵, the Council has been paying specific attention to the Crime Prevention Fund since 2019. Based on its monitoring function, risk analysis, interviews, and previous inspections in 2019, 2021, and 2022, the Council decided to prioritize the Crime Prevention Fund with an unannounced inspection in 2025. To this end, the Council assessed for the third time the status of the follow-up to its five recommendations that had not been (fully) implemented. The Council concluded that there have been no changes since the last follow-up inspection (2022), resulting in a compliance rate of only 25%. The Council therefore believed that priority should be given to bringing the management of the fund into order in all aspects. This will not only benefit its use, reliability, and transparency, but ultimately also the safety of citizens. After all, the purpose of the fund is to finance projects to combat crime.

3.2.5 Youth and Morals

3.2.5.1 Youth and Morals in 2025

In 2025, both within and outside the justice system, priority has been given to a more integrated approach to youth issues (problems and crime) as well as issues in and around schools (school fights, sharing videos containing violence or sexually explicit content). The Court of Guardianship and KPSM, among others, observe a concerning downward trend in the age of juveniles and an increase in the size of the group of problematic juveniles. Furthermore, the transition from and integration into the transfer process from juvenile to (young) adult probation requires attention. In 2025, the TPF continued to advocate for a more integrated approach to drug addiction, youth and addiction, social issues, and the recognition of addiction as a mental illness. The foundation warns in particular about the highly harmful consequences of smoking among youth (vaping) and concerning drug use among young people. Furthermore, they have focused on comprehensive education, the need for aftercare facilities, and the necessary funding.

HALT

It is also striking that the HALT (The Alternative) project has still not been implemented, years after the Council reported on it and made recommendations. Although various justice organizations indicate that work was underway in 2025, the project has still not gotten off the ground and lags behind other countries within the Kingdom in terms of development. The Council notes that, given current youth issues, HALT could actually add value to the approach to youth crime. This is because it allows for changes in the youth's behavior to be made at a much earlier stage and also has a preventive effect. The Council expressly calls for renewed attention to this matter. Furthermore, in collaboration with other stakeholders, the KPSM

²⁵ Pursuant to Article 3 of the National Law on the Council for Law Enforcement, the Council conducts inspections regarding management, among other matters. The aspect of management is highlighted in virtually all of the Council's reports. The concept is broad, and the Council uses a detailed definition to clarify it: '*as the party with final responsibility ensuring the structure and maintenance of an organization, linked to the objectives and quality of that organization's task performance.*' Depending on the organization under investigation and the applicable laws and regulations, the following management aspects—listed non-exhaustively—may be involved: • Governance/steering (control, internal oversight, accountability): this pertains to the process. • Organizational structure: application of the triangular model. • Resources (personnel and equipment). • Resources: an organization's capacity to perform its tasks. • Automation/information provision.

launched a “youth wing initiative” at the end of 2025, a community-driven program to guide at-risk youth toward positive opportunities within society and a better future.

The Miss Lalie Center (MLC) Youth Rehabilitation Center

The MLC has been in existence for over 10 years and, in recent years, has housed both minors and young adults, with the resulting consequences. The already known challenges — such as the maintenance of the MLC, the lack of staff to fill certain positions, the inability to offer a comprehensive daily program, and, more specifically, the challenges regarding the lack of (structured) education — will continue to dominate daily operations in 2025 as well. The Council notes that while it is positive that attention is focused on the prison at Point Blanche, the MLC also urgently requires attention. This is certainly true from the perspective of current youth issues and the rights of the child, including the right to education.

Victim Assistance

Furthermore, after many years, the Victim Support Bureau finally officially opened its doors in mid-2025. This marks an important step forward in the care and support provided to victims. In particular, issues surrounding domestic violence are becoming much more common. More specific legislation is necessary. Efforts are therefore currently underway to strengthen victims’ rights by drafting new legislation. The Victim Support Bureau is also collaborating with other organizations to provide information and training. In doing so, the bureau raises awareness, strengthens public services, and ensures that victims receive the necessary care and protection. In the bureau’s relatively short history, it has so far proven challenging to effectively embed this specific (after)care into the practice of the justice system and to sustain cooperation within it.

In 2025, a conference was also held by various ministries, during which they committed, through a Memorandum of Understanding, to working toward the ratification of the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence. The convention is not yet in force in Sint Maarten. Ratification will mark a fundamental step toward better protection of women and victims of domestic violence.

3.2.5.1 Council Activities

In its 2024 State, published in 2025, the Council addressed the topic of youth (crime) in detail. The report provides a comprehensive overview of the issues involved, what this means for society, and what kind of approach is needed. In 2026, the Council will inspect the approach to youth and moral offenses. In this context, the Council will also examine the Victim Support Bureau in greater detail in 2026.

3.2.6 Public Safety & Law Enforcement²⁶

3.2.6.1 Public Safety & Law Enforcement in 2025

In recent years, the Council has observed in several inspections that public safety in Sint Maarten is increasingly under threat. In 2025, Sint Maarten will continue to face various types of (serious) crime,

²⁶ Starting with its 2026 annual plan, the Council will adopt a broader definition of this theme to better capture its scope, namely comprehensive safety and enforcement.

including many homicides and violent crimes. The following topics were prioritized within the justice system in that year:

- Strengthening border control;
- Combating illegal firearms (including through inspections and a “firearm amnesty program” / “stop, drop and go”);
- Combating illegal drugs (and drug-related crime);
- Combating robberies (including public-private partnerships/cooperation);
- Combating human trafficking and human smuggling.
- Traffic safety (including enforcement through inspections).

According to the U.S. *State Department’s 2025 Trafficking in Persons Report*, Sint Maarten has made insufficient efforts to combat human trafficking.²⁷ As a result, they maintained Sint Maarten’s TIP Tier 3 status. In 2025, the National Reporting Center launched a campaign against human trafficking and smuggling called “see something, say something.” Furthermore, the Public Safety Center in Cole Bay was opened with a focus on cross-border crime. This is a collaboration between the KPSM (Community Police Officer), the Royal Netherlands Marechaussee, and the Gendarmerie. Various law enforcement agencies had also previously met in the so-called “War Room” to combat transnational crime. Subsequently, “War Room 2.0” focused on firearms-related crime.

In 2025, the Caribbean Financial Action Task Force (CFATF) released a report (*4th Round Mutual Evaluation Report 2025*) in which it reviewed Sint Maarten’s measures to combat money laundering and terrorist financing.²⁸ Although progress is being made, there is still much work to be done. The Council asks everyone to carefully consider the consequences—not only for the country but also for individual citizens—if Sint Maarten’s TIP Tier 3 status remains unchanged and if the CFATF’s recommendations are not met. Citizens will then be directly or indirectly affected by sanctions imposed on the government, and their financial freedom and international transactions may be impacted.

Resilience of the justice system

An important aspect of this theme that the Council wishes to highlight here is the digital resilience of the justice system. In recent years, Sint Maarten has experienced several targeted cyberattacks with serious consequences. It is important that (justice) organizations themselves are also well protected against such threats. The risk they face must be minimal, especially since they are expected to protect citizens and society as a whole against such threats. The Council has previously highlighted these risks and has also conducted (confidential) inspections into them. The Council hereby calls for additional attention to be paid to this matter. This is also in light of developments in the field of artificial intelligence (AI) and its implementation by various justice services in their operations, as well as the government’s broad “Digital Government Transformation Project.” The project’s focus includes the development of cybersecurity, the protection of personal data, and the establishment of a legislative framework.²⁹ The Council will conduct further research on the topic of resilience in 2026.

²⁷ [Sint Maarten - United States Department of State](#)

²⁸ [Sint Maarten’s measures to combat money laundering and terrorist financing](#)

²⁹ [Digital Leadership Team Advances Stakeholder Engagement on Cybersecurity, Personal Data Protection, and Open Data Legislative Framework Under DGTP – National Recovery Program Bureau](#)

3.2.6.2 Council Activities: Follow-up inspection on the security of public officials and the protection and security of persons and objects

The theme of public safety and law enforcement has regularly recurred in the Council's inspections over the years. This is also the case in its 2025 annual plan. In this context, the Council conducted a follow-up inspection in 2025 on the status of the implementation of its recommendations in two reports. This specifically concerns public officials as well as persons and objects within the criminal justice system — that is, the safety and security of citizens in particular.

In 2014, the Council first published a report on the security of public officials.³⁰ The Council's inspection revealed that the security of public officials was not adequately regulated at the legislative level. The security of public officials was organized on an ad hoc basis, with varying implementers and command structures depending on the situation. In that context, the Council made three recommendations to address the identified shortcomings. In addition, the Council subsequently published a report in 2016 on the protection and security of persons and objects within the (criminal) justice system on Sint Maarten.³¹ In this inspection, the Council found that the protection and security of other persons and objects in connection with (serious and/or concrete) threats and the (potential) use of force in relation to safety in the (criminal) judicial process and proceedings were also important. In that context, the Council made five recommendations to address the identified issues.

In recent years, the Council has received several reports regarding risks related to the protection and security of persons and objects in general, and regarding the security of public officials in particular. These reports, in conjunction with other oversight tasks and prioritization, prompted the Council to conduct an inspection in 2025. The follow-up inspection in 2025 revealed that the situation described above remained virtually unchanged until recently and that, in the current situation on Sint Maarten, there is still no comprehensive system in place for the security of public officials, other persons, objects, and services. However, this follow-up inspection does show that work is currently in full swing to establish such a system. The key now is to continue this work with determination for the sake of protecting the person(s) concerned.

3.2.7 Cooperation

3.2.7.1 Cooperation

In Chapter 2, the Council addressed the topic of cooperation. As in previous years, strengthening the rule of law remained a priority for all countries within the Kingdom in 2025, including Sint Maarten. This was also the case during the biannual JVO, where the topic has been on the agenda since 2021. The Ministers discussed, among other things, cooperation in the areas of strengthening border control, countering subversion, and detention capacity. Other important areas of cooperation included forensic care, TBS & PIJ, and juvenile crime. The Council notes that the commitment to and progress on the relevant dossier, as well as the results, depend heavily on the subject matter. In particular, developments and progress in

³⁰ <https://www.raadrh.com/reports-sxm/2013-de-beveiliging-van-gezagsdragers-in-sint-maarten-94>

³¹ <https://www.raadrh.com/reports-sxm/2016-de-bewaking-en-beveiliging-van-personen-en-objecten-in-sint-maarten-107>

the areas of forensic care, TBS & PIJ still require the necessary attention, just as they did in the previous year. The Council also addressed this topic in Chapter 2.3.

In 2025, efforts were made within and outside law enforcement at the national, regional, Kingdom, and international levels to consult, address issues, and collaborate to promote the safety of society and citizens through, among other things, the following:

- Consultations were held regarding concerns about maritime safety;
- A CARICOM delegation visited the KPSM in connection with regional cooperation within law enforcement;
- The CvK is committed to further regional strengthening and cooperation. The Chief of Police of the KPSM becomes the First Vice President of the Association of Caribbean Commissioners;
- Cooperation in the context of border reinforcement has continued, including through (temporary) capacity-building assistance for Customs;
- There is ongoing cooperation between the CvK and CARICOM IMPACS through a “forensic analysis method” training program focused on addressing firearms-related crime;
- In 2025, Sint Maarten, Aruba, and Curaçao agreed to have a joint crime prevention plan in place by 2026 (long-term crime prevention strategies);
- By 2025, various organizations will have focused on both local and regional cooperation with organizations such as the Sint Maarten Development Fund and the National Institute for Professional Advancement, as well as the “*Tur Cos ta Posibel*” foundation in Aruba. This foundation prioritizes support through social inclusion and the creation of equal opportunities for young people;
- In 2025, agreements were reached under which the Ministry of the Interior and Kingdom Relations will make substantial investments in the Caribbean part of the Kingdom in 2026, including efforts in Sint Maarten to strengthen the rule of law, as well as the Country package³²;
- To strengthen cooperation, representatives of Sint Maarten and Saint Martin signed a joint cooperation strategy at the end of 2025. The strategy covers a period of 10 years, from 2025 to 2034;
- In 2025, efforts were also made to finalize the treaty between the Kingdom and the French Republic within the framework of intensified cooperation regarding counternarcotics operations. The treaty was ultimately signed in 2026.

3.2.7.2 Council Activities: Interregional legal assistance

Effective law enforcement does not stop at national borders. This is particularly true within the Kingdom of the Netherlands, where criminal offenses, suspects, victims, and evidence move effortlessly between the countries in practice. For Bonaire, St. Eustatius, and Saba, as well as for Curaçao and Sint Maarten, cooperation is therefore not a choice but a prerequisite for a well-functioning rule of law.

The geographical location, the small scale of the communities, and the limited capacity within the justice organizations mean that the countries are heavily dependent on one another. In this context, so-called interregional legal assistance forms an indispensable link. This involves legal assistance that is needed on a daily basis for investigation and prosecution: hearing witnesses and suspects, requesting data,

³² An evaluation of the Mutual Agreement on Cooperation in Reforms took place in 2026. The evaluation report is titled “Outlines of Progress: The Functioning of Cooperation.” Interim Evaluation of the Mutual Agreement on Cooperation in Reforms, March 2026.

conducting searches, or intercepting communications. Interregional legal assistance is not an exceptional tool here, but daily practice.

In recent years, the Council has drawn attention in several inspections to cooperation and information exchange within the Kingdom. Against this background, the Council included in its 2024 annual plan that it would conduct an inspection into how these requests for legal assistance are handled in practice. All such actions directly affect citizens and may also have consequences for them. This inspection was carried out in 2025 and is expected to be presented to the Minister(s) in the second quarter of 2026.

3.2.8 Processing of police data

Supervision

In Chapter 2, the Council addressed the protection of personal data. As indicated, with regard to Sint Maarten, the Council is tasked by national ordinance with supervising the processing of police data.³³ This supervisory task of the Council consists of four parts.³⁴

The activities based on, and the (financial and personnel) implications for, this supervisory task of the Council will be further elaborated on in a separate plan. To carry out its supervisory task, the Council has both investigative (in accordance with the Kingdom Act Council) and enforcement (administrative coercion) powers. Furthermore, the Council may, among other things, at the request of an interested party — for the protection of their rights and freedoms in connection with the processing of personal data — initiate an investigation specifically into the manner in which police data is processed. Citizens, among others, may thus turn directly to the Council. This has not yet occurred to date.

Findings

The Council previously conducted inspections on topics including the “Exchange of Police and Judicial Data within the Kingdom”³⁵ (2016) and the “Digital Resilience of the Justice System in Sint Maarten”³⁶ (2021). The Council began its monitoring in 2023 and is reviewing the progress of the police (KPSM and National Detectives (LRSM)) regarding (the preparations for implementation of) the processing of police data in accordance with the National Ordinance on Police Data. All (police) organizations have their own responsibilities regarding the processing and sharing of data, for example in local cooperation. The Council will further assess how the other organizations handle this matter.

Since 2020, an “LPG Work Group” (National Ordinance on Police Data, for operational management, info desk, and information and communication technology (ICT) implications) has existed within the KPSM, which has addressed the subject in phases over the subsequent years. This included, among other things, developing and implementing the legal provisions (National Ordinance on Police Data), making investments in ICT, drafting plans and processes, establishing a user council, focusing on awareness, participating in training, and concretely implementing security measures, authorizations, and retention

³³ Article 37 of the National Ordinance on Police Data, AB 2014, No. 50.

³⁴ This entails:

- supervising the processing of police data in accordance with the National Ordinance on Police Data;
- providing advice on legislation;
- conducting investigations based on the National Ordinance (ex officio or at the request of an interested party);
- enforcing the obligations established by or pursuant to the National Ordinance.

³⁵ [2015 Exchange of police and judicial data within the Kingdom. | Council for Law Enforcement](#)

³⁶ Pursuant to Article 31 of the Kingdom Act Law Enforcement Council, the report has not been made public.

and disposal periods. Currently, efforts are focused on optimizing the process, automation, integrating modules, and more specific components such as the Criminal Intelligence Service and required documents. Due to the use of various systems and applications, IT staff must, for example, still perform certain tasks manually. This issue will also be resolved shortly. In the long term, the goal is to implement a central system within the police force with the option of an external link, which will facilitate data exchange. It is also expected that better systems will help alleviate the strain on scarce capacity. However, it must be taken into account that IT investments are costly and require updates, thereby necessitating an annual budget. This remains a major challenge at present. Specific attention is also being paid to data in the context of camera surveillance.

The National Detectives had also begun implementing the legal provisions (National Ordinance on Police Data), including the (further) regulation of security, authorizations, retention and destruction periods, and, in particular, the purging and disposal of physical files. However, due to circumstances at the time, this process had come to a standstill and was not being maintained on a regular basis. It is now back at the top of the priority list. The focus will first be on the physical files, after which efforts will be directed toward raising awareness of the subject, drafting the necessary documents, and the further implementation and assurance of the requirements of the National Ordinance on Police Data. Authorizations and automatic access restrictions are already built into the system. For the Sint Maarten National Detectives as well, investments in this area require the necessary funding.

A police record is defined as: *“Any data concerning an identified or identifiable natural person that is processed in the context of the performance of police duties.”*¹²

Sint Maarten Personal Data Protection Supervisory Committee

The right to privacy is a fundamental right and therefore requires the protection of personal data so that the privacy of citizens is not violated. Oversight plays an important role in this regard. In its 2023 State, the Council emphasized the importance of having a Committee for the Supervision of the Protection of Personal Data in Sint Maarten and urged the minister to ensure this.³⁷ In 2025, the Audit Chamber conducted a performance audit on the protection of personal data.³⁸ In its report, the Audit Chamber concludes that since the entry into force of the National Ordinance on the Protection of Personal Data in 2010, the government has failed to carry out its supervisory duties. The (legally required) supervisory committee has not been established. Compared to other countries within the Kingdom, Sint Maarten therefore lacks an active supervisory authority for the protection of personal data.

3.3 Supervision and Oversight

3.3.1 Law Enforcement Council

The Council is, by definition, an inter-country partnership. The Council’s vision is to promote a safe and just society. This means that it contributes to the quality of law enforcement by supervising and providing insight into the functioning of the justice system from an independent position.

³⁷ Council for Law Enforcement (2024). *State of Law Enforcement 2023*.

³⁸ [Efficiency Study-Protection-Personal Data-NL.pdf](#)

The added value of the Council’s supervisory role within the system of checks and balances is threefold. Through its various (core) activities, it not only supports ministerial accountability, but also provides independent and objective insight into and for the organizations to facilitate improvement and fulfills a broader societal function. With regard to the latter, the Council’s activities, particularly its inspections, contribute to public confidence in law enforcement. The Council’s recommendations, included in its inspection reports, are ultimately also aimed at strengthening the rule of law in Sint Maarten. [Appendix 1](#) provides an overview of all reports published by the Council in Sint Maarten, as well as the current ongoing inspections.

Organizational and Multi-Year Plan Council

In 2024 and 2025, the Council focused on drafting a multi-year plan for 2026–2030. One of the five objectives formulated in the multi-year plan is the citizen’s perspective. This means that in its oversight of the quality of task performance, the Council will place greater emphasis on the impact on citizens. It also keeps the organizations it oversees focused on the citizen’s perspective. In 2024, the Council also initiated a (preparatory) process to develop an organizational plan within the framework of the Kingdom Act Council that aligns with the current scope of oversight and work and supports the strategic objectives. In 2025, work was carried out on the development of this plan, which will be finalized in 2026. Central to this are the Council’s vision and mission and their translation into the Council’s activities, namely the primary process (identifying, assessing, and stimulating), operational management, and change. This plan also emphasizes the importance of the citizen’s perspective for the Council.

[3.3.2 Submission of reports and response to Parliament in 2025](#)

For many years, the Council has been highlighting the responsibilities of the Minister and Parliament in each State. This is because, for many years, the Minister has failed to submit a response to the Council’s reports on Sint Maarten to Parliament, or has done so inconsistently, in accordance with the Kingdom Act Council. This was also the case in 2025. The Council once again emphasizes everyone’s responsibility in this matter, as well as specifically the monitoring and budgeting role of Parliament. The Council most recently did so by giving a presentation to members of Parliament in August 2025 on the Council’s activities, as well as the notification letter pursuant to Article 32 of the Kingdom Act Council (see also Chapter 2).

☒ The Minister shall send each report with a response to Parliament within 6 weeks

The Minister of Justice sends the inspection report and his response to it to the representative body of Sint Maarten within six weeks (Article 30, paragraph 5, of the Kingdom Act Council).

[3.3.3 Systematic failure to follow up on Council recommendations](#)

The Council has consistently addressed the issue of “systematic failure to follow up on recommendations” in its States over the past few years.¹⁴ The Council reiterates that these issues are inextricably linked and that failure to follow up on recommendations regarding one issue can often have negative consequences for other issues as well. Ultimately, this undermines public confidence in the criminal enforcement of the legal order. The Council therefore frequently emphasizes, in a holistic context, the added value of steering the follow-up to recommendations as well as the necessary prioritization of certain topics. If improvements fail to materialize, this affects the quality of task execution, management, and/or effectiveness—in other words, it does not benefit the public and their safety.

Table 1: Overview of topics

Year	Topics	
2022	Prosecution and investigation policy of the Public Prosecutor's Office	Criminal Seizure
	Crime Prevention Fund	Prisons and Detention Centers
	Victim Support ³⁹	-
2023	Police Education	Human trafficking and smuggling
	Use of force by and against the police	Prostitution policy and its enforcement
2024	Youth Rehabilitation Center (Miss Lalie Center)	Admission and deportation of foreign nationals
	Border control of passenger traffic	
2025	Prison and Detention Center	Crime Prevention Fund

☒ Systematic failure to act on the Council's recommendations

In the event that the Minister of Justice systematically fails to act on the Council's recommendations, the Council may notify the representative body of Sint Maarten and the Kingdom Council of Ministers (Article 32 of the Kingdom Act Council).

Key Message

For small countries and law enforcement, expectations are high within the framework of the democratic rule of law and various (inter)national requirements to work (together) to uphold human rights, ensure security, and manage risks. Although all parties involved are doing their best, they must still do so under circumstances in which many preconditions are not yet adequately secured. In a changing world where complex and (trans)national issues are intertwined, a well-equipped justice system is therefore indispensable to ensure maximum effectiveness and decisiveness. The law enforcement system and its strengthening therefore deserve priority.

³⁹ The formal establishment of a Victim Support Bureau in 2025 marked an important step forward.

4. In conclusion

In this State, the Council addressed the importance of the functioning of law enforcement in a democratic constitutional state. This was done from the perspective of the citizen, as well as the implications thereof. These implications relate, on the one hand, to Sint Maarten and its law enforcement and, on the other hand, to the Kingdom as a guarantor that the countries must ensure the realization of fundamental human rights and freedoms, legal certainty, and good governance.

The Council expressed that the law enforcement chain operates in a world where political instability, geopolitical tensions in the Caribbean region, increasing (trans)national crime, serious youth issues, migration flows, and limited finances, resources, and implementation capacity define the complex playing field. To continue to protect the rule of law — including fundamental human rights and, ultimately, the safety of citizens — these developments and changes require a different, more holistic and strategic approach and integrated strategy than before. This approach will often need to transcend the chain of command, ministries, and even national borders. In concrete terms, this requires a perspective in which security issues are addressed strategically and within a broader context, making cooperation within and between countries indispensable.

In addition, this reality also requires a well-equipped justice system to be able to operate as effectively as possible. Although this State indicates that justice organizations themselves, together with partners within and outside the chain, have accomplished a great deal by 2025 — often “with the resources they lack” — this also runs parallel to the structural concerns that persist and were again expressed in this State. Small-scale countries and, consequently, their law enforcement agencies are expected to continue making (joint) efforts to manage and keep the (security) risks to law enforcement at an acceptable level, as well as to comply with various (inter)national requirements. However, they must do so under circumstances in which they continue to grapple with personnel, financial, and capacity constraints, and the nature of the work does not allow it to be neglected. The foregoing negatively impacts effectiveness and thus affects citizens. This is because it influences the quality of the functioning of the organizations in the judicial chain and, consequently, the services provided to citizens.

This State also illustrates that significant efforts are being made and that the strength lies in collaboration. However, (further) efforts are needed on a wide range of issues. These include strengthening an updated legal framework, establishing a minimum level of data protection not only for citizens but also to facilitate the sharing of police, judicial, and criminal procedural data. It also concerns the resilience not only of the justice organizations themselves but also the physical and mental resilience of the staff, the possibilities of AI, ensuring the improvement of detention conditions, and continuous intensive cooperation within and between countries.

The Council concludes, in line with the Ministry, that a holistic government approach, a broad government strategy involving relevant ministries and country-transcending cooperation, and a shared responsibility for addressing these complex and structural issues and prioritizing them are necessary. The Council believes that the primary focus should be on cooperation based on the available (legal) options and tools to achieve the protection of the rule of law. If the citizen’s perspective and safety are always kept in mind, this approach will bear fruit.

In conclusion

Within the system of checks and balances, the Council, as a supervisory body, identifies bottlenecks, risks, and opportunities for improvement so that justice organizations can learn from them and continue to develop. In doing so, the Council also takes the citizen's perspective into account. Furthermore, for the first time in its history, the Council has specifically exercised its authority to escalate matters to sound the alarm regarding human rights and working conditions in prisons, with the aim of prompting necessary action. This stems from the belief that the existing risks are too great and that detainees and staff are entitled to a safe living and working environment. After all, within a democratic constitutional state, it has been agreed to guarantee humane and lawful detention. The Council hopes that its efforts will contribute to this and influence the prioritization of other important issues. In this way, everyone contributes to the ultimate goal — a safe and just society for all — based on their own responsibilities. The Council thanks all those involved for their dedicated efforts in 2025.

Key Message

In the interest of the functioning of law enforcement in a democratic constitutional state, the citizen and their perspective, and the safeguarding of fundamental human rights and freedoms, legal certainty, and good governance, various actions are necessary. These include a holistic government approach and a broad government strategy with corresponding inter-ministerial and country-transcending cooperation. Furthermore, this requires shared responsibility for the complex and structural issues, and prioritization of these issues is necessary. According to the Council, the direction in which solutions should be sought is that of intensive cooperation within and between the countries.

Appendix 1: Published reports of the Council's Sint Maarten Office

Reports 2012–2025

No.	Publication year	Report topic	English translation available?	Organization(s)	Has the Minister of Justice prepared a policy response to Parliament?
Completed reports					
1.	2012	Reporting process	No	KPSM	Yes
2.	2012	Juvenile probation	No	Court of Guardianship	Yes
3.	2012	Victim Support	No	Various (including KPSM, OM)	Yes
4.	2012	Criminal investigation process	No	KPSM	Yes
5.	2013	Detention capacity	No	Prison system	Yes
6.	2013	Border control on passenger movement	No	IGD	Yes
7.	2013	OM in incident-oriented investigation	No	OM	Yes
8.	2013	Police Education	No	KPSM	Yes
9.	2013	Adult probation	No	SJIS	Yes
					100% compliance
10.	2014	Criminal seizure	No	KPSM	Yes
11.	2014	Security and safety detention	No	Prison system	No
12.	2014	Security of authority figures	No	Various (including VDSM, KPSM, OM)	No
13.	2014	Enforcement of fines, damages and deprivations	No	OM	No
14.	2014	Admission and expulsion of foreigners	No	IGD	No
15.	2014	Use of force	No	KPSM	No
16.	2014	Review Reporting process	No	Various (including KPSM, OM)	No
					0% compliance
17.	2015	Juvenile probation review	No	Court of Guardianship	No
18.	2015	Tackling robberies	No	KPSM	No
19.	2015	Prevention of juvenile delinquency	No	Various (including KPSM, OM)	No
20.	2015	Exchange of police and judicial data within the Kingdom	No	Various (including KPSM, OM)	No
21.	2015	Treatment persons addiction or behavioural disorder criminal justice chain	No	Various (including KPSM, OM, MHF, SJIS, TPF, detention system)	No
22.	2015	Prosecution policy	No	OM	No
					0% compliance
23.	2016	Review Adult probation	No	SJIB	No
24.	2016	Review Investigation process criminal investigation	No	KPSM	Yes
25.	2016	Surveillance and security of persons and objects	No	Various (including KPSM, OM)	No

26.	2016	Review Victim Support (first review)	No	Various (including KPSM, OM)	No
27.	2016	Prostitution policy and enforcement	No	Various (including Administrative Enforcement Officers, KPSM, OM)	No
28.	2016	PI legal status of detainees and personnel & organisation	No	Prison system	No
29.	2016	Juvenile detention facility MLC	No	Prison system	No
					14% compliance
30.	2017	PI Internal security and society security	No	Prison system	No
31.	2017	PI Dealing with detainees and social integration	No	Prison system	No
32.	2017	Review Border control on passenger movement	No	IGD	No
33.	2017	Review OM in incident-oriented investigation	No	OM	No
34.	2017	Review Police education	No	KPSM	No
					0% compliance
35.	2018	Forensic investigation	No	Various (including KPSM, LR)	Yes
36.	2018	Review PI Internal security and society security	Yes	Prison system	Yes
37.	2018	Review PI Legal status of detainees and personnel & organisation	Yes	Prison system	Yes
38.	2018	Review Enforcement of fines, damages and deprivations	No	OM	No
39.	2018	Coastguard	Yes	Coastguard	Yes
40.	2018	Internal Affairs Bureau	No	KPSM	Yes
41.	2018	Cooperation between prosecutors' offices	No	OM	No
					71% compliance
42.	2019	Crime Prevention Fund	No	Various (including KPSM, prosecution, justice minister)	No
43.	2019	Review Criminal seizure	No	KPSM	No
44.	2019	Review prison, MLC, police cells and border hospice Simpson Bay (second review)	Yes	Prison system	No
45.	2019	Review Investigation and prosecution policy OM		OM	No
46.	2019	Review Victim Support (second review)	Yes	Various (including KPSM, OM)	No
47.	2019	Review use of force by and against police		KPSM	No
					0% compliance
48.	2020	Approach human trafficking and human smuggling	Yes	Various (including KPSM, OM)	No
49.	2020	Approach drug crime and drug-related issues	Yes	Various (including KPSM, OM)	No
50.	2020	Review Admission and expulsion of foreigners (applications for employment)	Yes	IGD	No
51.	2020	Domestic violence	Yes (English version only)	Various (including KPSM, OM, Court of Guardianship , SJIS, Safe Haven)	Yes

					25% compliance
52.	2021	General review Sub-inspection 1 Prevention of juvenile delinquency; Youth Rehabilitation Center Miss Lalie Center; and Youth and adult probation	Yes	Various (including KPSM, OM, Court of Guardianship, SJIS, prison system)	No
53.	2021	Review National detectives	Yes	National detectives	No
54.	2021	General review Sub-inspection 2 Crime Fund; Investigation and prosecution policy OM; Enforcement of fines, compensation and deprivation; The OM in incident-oriented investigation; and Cooperation between prosecutors' offices OM	Yes	Various (including OM, LR, KPSM, Ministry of Justice)	No
					0% compliance
	2022		In the letter dated 4 April 2022, the Minister of Justice offered a general response to the Council's recommendations to Parliament. In it, general issues were addressed.		
55.	2022	Evaluation mutual arrangements detention	Yes	Various (including PPG/OM, ministries of justice, prison)	Pending ¹
56.	2022	Illegal firearms	Yes	Various (including OM, KPSM, Ministry of Justice, customs, KW)	Yes
57.	2022	Money laundering and terrorism financing	Yes (English version only)	Various (including PPG/OM, KW, KPSM, Ministry of Justice, customs, MOT)	No
58.	2022	Second follow-up inspection into crime prevention fund	Yes	Ministry of Justice	No
					25% compliance
59.	2023	General review Sub-inspection 3 Criminal investigation process; Tackling robberies, Criminal seizure; and Forensic investigation	Yes	Various (including KPSM, OM, LR and Ministry of Justice)	No
60.	2023	Processing time: the prioritisation, steering and monitoring of (complex and simple) criminal cases	Yes	Various (KPSM, OM, LR)	No
61.	2023	Maintaining public order during extraordinary circumstances	Yes	Various (including KPSM, Ministry of Justice)	No
62.	2023	General review recommendations Sint Maarten Sub-inspection 4: Bureau Internal Affairs of the Sint Maarten Police Force; Police education in Sint Maarten; Use of force by and against police in Sint Maarten.	Yes	KPSM	No
63.	2023	Arrest team Sint Maarten Inspection into the set-up and deployment of the arrest team of the Sint Maarten Police Force.	Yes	KPSM	Yes
64.	2023	Follow-up inspection on human trafficking and human smuggling and prostitution policy and its enforcement	Yes	Various (including KPSM, OM, IGD and Ministry of Justice)	Yes
					33% compliance
65.	2024	General review recommendations Sint Maarten Sub-inspection 5 Immigration and Border Protection Service: border	Yes	IGD	No

		control of movement of persons; and the Admission and expulsion of foreigners			
66.	2024	Immigration detention (treatment)	Yes	IGD	No
67.	2024	Second follow-up inspection 'Sint Maarten juvenile detention facility: the Miss Lalie Center'	Yes	Prison system	No
					0% compliance
68.	2025	Third follow-up inspection of the Crime Prevention Fund (unannounced inspection)	Yes	Various (including KPSM, OM, Ministry of Justice)	No
					0% compliance
Ongoing investigations 2025					
69.	2025	Detention inspections & monitoring of CPT recommendations: the care and treatment of people with mental and/or behavioral disorders in the criminal justice system (monitoring)	N/A	Various (including KPSM, OM, MHF, J&IS, TPF, prison system)	N/A
70.	2025	Follow-up inspection on public safety and enforcement. A follow-up study on the status of implementation of the recommendations regarding the security of public officials and the surveillance and security of persons and objects.	In due course	Various (including KPSM, OM, VDSM)	In due course
71.	2025	Screening in Sint Maarten. Inspection by the Law Enforcement Council regarding the screening of justice personnel in Sint Maarten.	In due course	Various (including KPSM, OM, Ministry of Justice, VDSM)	In due course
72.	2025	Sint Maarten Penitentiary Institution. Follow-up inspection on the treatment of inmates, social reintegration, and the monitoring of isolation cells.	In due course	Various (including the prison system, OM, J&IS, MLC, MHF, TPF)	In due course
73.	2025	An inspection on mutual legal assistance between Curaçao, Sint Maarten, and the (Caribbean) Netherlands, particularly police and judicial cooperation with a view to investigating criminal offenses.	In due course	Various (including KPSM, OM, LrSM)	In due course
74.	2026	Follow-up inspection at the National Detectives Sint Maarten.	In due course	National Detectives	In due course
75.	2026	Approach Youth and Morals, Sint Maarten.	In due course	Various (including KPSM, OM, J&IS, Court of Guardianship)	In due course

Colophon

Law Enforcement Council

Juancho Yrausquin Blvd 26, Unit 3G | Philipsburg | Sint Maarten

info@rrh-sxm.org

www.RaadRH.com

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