



**International covenant
on civil and
political rights**

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HUMAN RIGHTS COMMITTEE

**COMMENTS BY THE GOVERNMENT OF THE NETHERLANDS
ON THE CONCLUDING OBSERVATIONS OF THE HUMAN
RIGHTS COMMITTEE (CCPR/CO/72/NET)**

[1 July 2003]

INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS

NETHERLANDS ANTILLES

Introduction

1. The Kingdom of the Netherlands submits this report in compliance with paragraph 27 of the Concluding Observations of the Human Rights Committee of 27 August 2001 (CCPR/CO/72/NET), which requests information to be forwarded within 12 months on the implementation of the Committee's recommendations regarding inter alia the prison system in the Netherlands Antilles (para. 17).

Prison staff

Integrity

2. An investigating commission, known as the Kibbelaar Commission, was appointed to monitor the treatment of detainees and foster integrity among prison staff at Koraal Specht in Curaçao and Point Blanche in Sint Maarten, and identify potential problems. Its report was completed on 10 October 2001 and submitted to parliament for approval. The report noted that guards in both prisons had been suspected of corruption. One hundred and seventh-five prison guards had been suspended as a result. They were screened to assess their suitability and qualifications, physical health, reliability, financial efficiency and effectiveness. Eighty-five of the suspended guards were subsequently allowed to return to work and a few were transferred or laid off under pension or unemployment schemes. Of the remainder, 70 were the subject of a report to the Minister of Justice, recommending administrative measures. They were identified as problem cases or potential problem cases. The guards who passed the test were allowed to return to work. Three were dismissed.

3. In addition to the above, in mid-August 2001 the prison authorities introduced new procedures for recruiting staff from the Netherlands and Suriname with a view to ensuring that staff would act in accordance with the law and treat detainees appropriately. Thirty-one appointments have been made under the new regime, including 17 guards.

4. As low rates of pay were blamed for integrity problems and the difficulty of recruiting new staff, the Council of Ministers agreed on 8 November 2001 to add a special allowance (25 per cent) to normal staff salaries.

5. In connection with the above, plans are now being made to establish a special department to manage internal affairs at the prisons.

6. The Government will continue to recruit prison staff with high standards of integrity and to provide training and personal guidance for all prison staff.

7. Staff who have direct contact with detainees do not carry firearms. Only security officers are armed. They are issued with non-lethal bullets for use on the premises.

8. Special attention is being paid to complaints about inmates feeling unsafe. Each unit has been assigned a manager and prison guards who are involved in the unit's daily activities. Placing inmates in different categories according to the selection made at their intake has helped reduce incidents of intimidation, fights and bullying.

Work schedules

9. Prison guards work according to a rotating schedule aimed at preventing them from building up undesirable relationships with detainees. The management structure has also been changed, with more positions being created at middle management level. Applicants from both inside or outside the prisons are eligible for these posts, although they have all been filled since January 2002.

10. The Government has separated penitentiary work as such from the tasks of surveillance and security. The Federal Security Service is responsible for surveillance and security and only the prison staff perform penitentiary activities. Federal Security Service staff have no direct contact with detainees.

Educational programmes

11. An extensive educational programme is available for prison staff. Courses are given in the following:

- the basic training curriculum Welcome;
- staff handbook;
- overview of the Ministry of Justice;
- facility mission, purpose and goals;
- correctional ethics;
- sexual harassment;
- safety, first aid/CPR; legal issues;
- prisoners' rights/confidentiality of information about prisoners;
- prison complaints procedure;
- detection of suicidal tendencies and intervention/access to medical care/blood-borne pathogens;
- emergency and evacuation procedures;
- management of prisoners;

- supervision of prisoners' work;
- security procedures;
- review and test.

12. The following courses are given in the correctional officer pre-service training curriculum:

- use of force: policy and procedures;
- identification of chemical agents;
- exposure to chemical agents;
- escape procedures;
- riots and disturbances;
- hostage first response; security procedures;
- counselling techniques (non-violent crisis intervention techniques);
- interpersonal communication;
- communication skills (verbal judo);
- programmes for prisoners;
- classification;
- prisoners' rights;
- fire safety awareness;
- building maintenance and sanitation;
- correctional ethics;
- team cohesion;
- coping with stress;
- drafting reports;
- social/cultural lifestyle of the prison population;
- post orders and standard operating procedures;

- prison rules and regulations;
- defence strategies;
- on-the-job training;
- administrative time;
- firearms.

13. Forty-two prison guards have followed all the above courses, 34 of whom are still in service. After following the programme prison guards are able to perform basic security tasks and assist in rehabilitation programmes. They also learn about the prison's new policy and procedures.

Absenteeism

14. In order to reduce absenteeism, the prison has formed a social/medical team and a counselling group. The task of the social/medical team is to identify and deal with the root of a problem. The counselling group offers guidance and support and tries to motivate those with problems. The counselling group reports its findings to the social/medical team.
