



**Anna E. Richardson**  
**Minister of Justice**  
Government Administration Building  
Soualuiga road 1  
Pond Island, St. Maarten

To:  
The Law Enforcement Council  
Attn. Chair M.R. Clarinda, LL.M.,  
Juancho Yrausquin Blvd 26, Unit 3A  
Philipsburg, St. Maarten

*Subject* : Inspection report on illegal firearms in Sint Maarten  
*Ref. nr.* : 277-22B/JUS

Philipsburg, May 31, 2022

Dear Chairlady,

My thanks for the Inspection report on illegal firearms on St. Maarten.  
I hereby forward to you a copy of my response. I have sent my response to this report to Parliament today.

I trust to have informed you sufficiently.

Yours Sincerely,

MINISTER OF JUSTICE  
Anna E. Richardson

1/6/2022

To:  
The President of the Parliament  
Mrs. Grisha S. Heyliger-Marten

CC: The Law Enforcement Council

*Subject* : Inspection report on illegal firearms in Sint Maarten  
*Ref. nr.* : 273-22B/JUS  
*DIV nr.* : 12830

Philipsburg, May 31, 2022

Dear President,

Pursuant to Article 30, paragraph 5, of the Kingdom Act of the Law Enforcement Council, I hereby submit the "Inspection report on illegal firearms in Sint Maarten"; I will also give you my response to this report through this letter.

It follows from Article 21, paragraph 2, of this Kingdom Act that the Minister of Justice may request the Council for Law Enforcement (hereafter: the Council) to conduct an inspection investigation.

By letter of February 5, 2021, I made such a formal request to the Council, more specifically a request to conduct an inspection regarding combating illegal firearms. In this letter to the Council, it was indicated that an action point of the Ministry of Justice of 2021 was to reduce the number of illegal firearms on Sint Maarten. Up till then, no formal inspection investigation had been conducted regarding the nature and extent of illegal firearms on the island. It was also stated that in order to effectively combat the trade in illegal firearms and their use, it is important to gain more insight into this. To my content the Council agreed with this request.

In its inspection, the Council involved all relevant parties within the justice chain. In its report, the Council makes a total of seven recommendations. All these recommendations are addressed to the Ministry of Justice, but nonetheless affect all parties involved in the prevention and combating of illegal firearms on Sint Maarten.

I am grateful that this inspection report provides the necessary insight to illegal firearm possession and trade on Sint Maarten. Moreover, I take the findings and recommendations of the Council regarding their inspection into the prevention and combating of illegal firearms in Sint Maarten very seriously. These findings and recommendation provide the guidance that is needed to make structural improvements to the current approach.

At the same time, I hasten to say that the very limited financial resources and manpower of not only the Ministry of Justice but also the other relevant parties within government, make it particularly difficult to

live up to and implement all the recommended actions and provisions to address illegal firearms. Nevertheless, we will strive for complete compliance to the recommendations.

The seven recommendations and my ministry's perspective on them will be discussed in more detail below.

**1. Develop a strategic vision regarding illegal firearms that at least includes prevention and a focus on the youth.**

The Ministry of Justice completely supports the recommendation of the Council regarding the necessity of a strategic vision. A strategic vision is considered imperative by the Ministry to structurally prevent and combat illegal weapons on St. Maarten. In this regard, it is relevant to mention that in 2021 the Ministry of Justice started with joint vision – mission work sessions for the Justice entities. Different subject matters were discussed in these sessions. The Ministry of Justice is of the intention to make use of this already existing platform to address an effective approach to illegal firearms on St. Maarten.

In addition, the Ministry is exploring the feasibility of organize an international Justice conference with Sint Maarten, Sint Martin, Anguilla, St. Kitts, Antigua, Saba, St Eustatius in November of this year. The aim of such a conference will be to discuss together a regional approach on subject matters such as illegal firearms and to further strengthen the collaboration within our region.

**2. Take the initiative to consult with relevant ministries and establish inter-ministerial policies concerning illegal firearms that integrate safety and social-economic aspects.**

Pursuing a holistic approach in the is indeed considered as the most desirable and sustainable manner to effectively prevent and combat illegal firearms on the island. The aforementioned intention for an upcoming strategical session with all the relevant entities within the Justice chain will provide the relevant output for follow up sessions with the different departments within Government. The Ministry of Public Health, Social Affairs and Labor (VSA) and the Ministry of Education Youth Culture and Sport (ECYS) are expected to be our most important partners in establishing inter-ministerial policies in which a comprehensive multi-disciplinary approach is worked out.

**3. Ensure that risks at the border (air and seaport) are addressed, for example in the plan of approach on the Agreement for Strengthening Border control in the Caribbean Countries of the Kingdom.**



I am pleased to inform you that our Plan of Approach on the Agreement for Strengthening Border control in the Caribbean Countries in the Kingdom does include certain relevant aspects to improve the prevention and combating of illegal firearms in St. Maarten.

For example, in this Plan of Approach the handling of seized narcotics and firearms are categorized as a critical success factor. It is also stipulated that the process surrounding seized firearms needs to be organized more efficiently. In addition, Customs incorporated a request of assistance in the training on weapon regulations. Drug and firearms lockers for the Justice entities are mentioned as relevant to improve the detection and seizure process of firearms. This is all based on the intention and expectation of an intensification of border control and with that an anticipated increase of seized items such as drugs and weapons.

The report of the Council of illegal firearms of St. Maarten is shared with our local coordinator of the aforementioned Plan of Approach on the Agreement for Strengthening Border control in the Caribbean Countries in the Kingdom. With that, the necessary awareness of the recommendations of the Council and the importance in this regard of the Agreement for Strengthening Border control seems to be secured.

**4. Invest in the (analysis and investigative) capacity at the agencies so more insight can be gained on the illegal firearm problems and that these problems can be acted upon.**

Now the function book have been formally established, the necessary framework is there to further strengthen the analysis and investigative capacity at our law enforcement agencies. Expanding the capacity for KPSM is also a recommendation made by the Progress Committee. The Ministry of Justice works and will keep working diligently the coming years to gradually realize this expansion of capacity. Not only at KPSM but at the different departments within my Ministry.

**5. Using input from the agencies, develop and implement specific plans for an integral/ multidisciplinary and structural approach to the problem of illegal firearms.**

See the Ministry's perspective under recommendation 1.

**6. Contribute to the establishment at the administrative level of maritime cooperation between the Dutch and French authorities so that the agencies can effectively carry out their day-to-day work.**

See the Ministry's perspective regarding regional cooperation under recommendation 1.

**7. Follow up on the Council's earlier recommendations regarding the approach to drug crime and drug related issues.**

The Ministry acknowledges the interconnection between illegal firearms and drug crimes / drug related issues. Therefore, the Ministry will work diligently in addressing the recommendations regarding the approach to drug crime and drug related issues. The Ministries of VSA and ECYS will again have an important role and responsibility in the desirable multidisciplinary approach as well.

That concludes my Ministry's response to the recommendations made by the Council in their inspection report on illegal firearms on Sint Maarten. As indicated in the extensive response report of the Ministry of Justice that was submitted to the 2<sup>nd</sup> Vice President of Parliament on April 7, 2022, the Ministry of Justice is committed to a consistent active approach in complying to the recommendations of the Council in order to make the imperative improvements to our Ministry.

I trust to have informed you sufficiently.

Yours Sincerely,

MINISTER OF JUSTICE  
Anna E. Richardson

