



The BES Public Records Act

Exploratory study of the care for public records on Bonaire, St. Eustatius and Saba

Information management and archiving on the BES islands

Transfer and cultural heritage of the BES islands

Focus points for an action plan

Collaboration between the public entities and central government institutions

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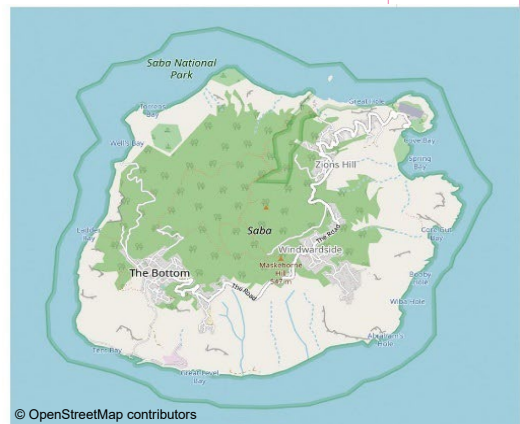
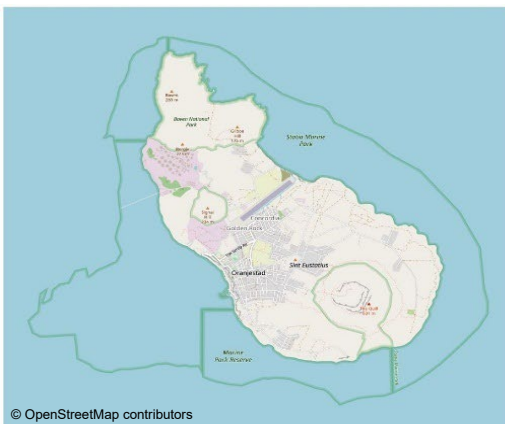
Summary

Every citizen has the right to know which decisions the government makes and on which grounds. Government organisations must be able to reconstruct these records for their own operations and for the purposes of accountability. Some public records are also part of our cultural heritage. Citizens can, for example, use these records from the past to find information about their ancestors and land ownership. Public records must therefore be easily accessible. The BES Public Records Act (2010) establishes a framework for the realisation of these objectives for the islanders and governments of Bonaire, St. Eustatius and Saba.

In April 2018, the Cultural Heritage Inspectorate visited the Caribbean Netherlands to fulfil its mandate to monitor compliance with the BES Public Records Act and the 1995 Public Records Act. The purpose of this visit was to gain an initial impression of how the public entities manage public records. We also took the opportunity to form a general impression of the information management practices of central government institutions on the islands and the extent to which they cooperate with the public entities.

The Executive Councils of the public entities are responsible for compliance with the terms of the BES Public Records Act. The Minister for Primary and Secondary Education and Media (BVOM) has system-level responsibility for the BES Public Records Act. The State Secretary for the Interior and Kingdom Relations (BZK) is responsible for drawing up and implementing BZK policy for the public entities. Good governance is a key objective.

The Cultural Heritage Inspectorate has held discussions with administrators, Island Council members and civil servants and appreciates the candour and constructive attitude shown in these discussions. These meetings gave us a good impression of the extent to which information management supports the work of the administrations and how the archives are currently managed.



We observed that those we spoke to are aware of their respective responsibilities and the importance of records for public administration. They also appreciate the importance of archives for their own history.

We also note that they cannot yet assume full administrative responsibility for the BES Public Records Act, simply because the basic facilities and conditions are lacking. Effective management is conditional on the implementation of the legal framework. The Inspectorate believes that a systematic, island-based approach and timetable are necessary to achieve this. Three topics also require urgent attention on each of the islands:

1. The establishment of a **safe archive space** where citizens can access their cultural heritage.
2. **Processing and preservation** of old archives.
3. Updating the tools for **storing and destroying** public records.

A financial contribution is required from the central government of the Netherlands to realise these objectives.

Recommendations

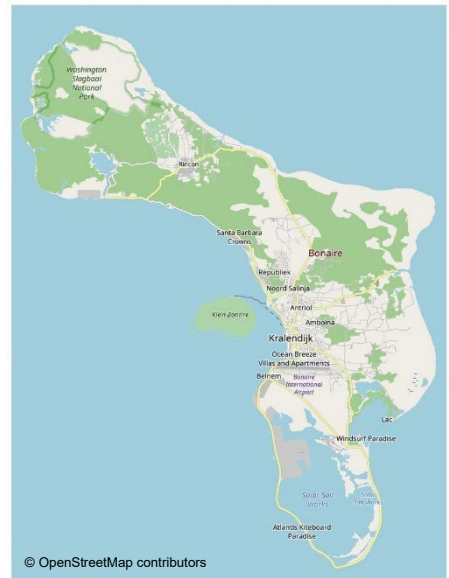
In response to these findings, as well as the need to prioritise a number of urgent measures, the Cultural Heritage Inspectorate recommends that the Executive Councils should:

- draw up an island-specific action plan, including financing and a timetable, that addresses the three most urgent topics, as well as the longer-term conditions for the management of public records, including digital infrastructure, and subsequently implement this plan;
- include archive supervision in their approach.

In response to these findings, the Cultural Heritage Inspectorate recommends that the Minister for Primary and Secondary Education and Media (BVOM) and the State Secretary for Kingdom Relations should:

- ensure that the island governments can provide basic facilities, such as secure archive spaces, and accelerated processing and preservation of vulnerable archives.

The governments of the islands endorse the contents of this report and accept the conclusions and recommendations.



1 Introduction

1.1 Background

The BES Public Records Act applies on the islands of Bonaire, St. Eustatius and Saba. The act provides guidelines for good, orderly and accessible archive management and has been in effect since 10 October 2010. The Minister for Education, Culture and Science is responsible for the act. The islands have been part of the Netherlands as three separate public entities, which are also known as special municipalities, since 10 October 2010. They are collectively referred to as the Caribbean Netherlands.

These islands, together with Curaçao, St. Maarten, and until 1986 Aruba, were part of the Netherlands Antilles within the Kingdom of the Netherlands until 2010. Information management was regulated by the 2007 *National Ordinance regulating the Archive System in the Netherlands Antilles* before 10 October 2010. The ordinance applied to the Netherlands Antilles.

In 2010, as was the case for a great deal of legislation in force in the Antilles, the ordinance technically became the BES Public Records Act. The existing National Ordinance was left unchanged as much as possible.

However, since the BES Public Records Act came into force, responsibility for the supervision of the management of public records has changed. Under the 2007 National Ordinance regulating archives, supervision was exercised by the general national archivist on behalf of, or in accordance with the instructions of, of the Minister for Constitutional and Home Affairs. The BES Public Records Act stipulates that archive supervision on each island is exercised by the island archivist subject to the instructions of the Executive Council. This provision has not yet been complied with on any of the islands. On 14 July 2017, the civil servants of the Cultural Heritage Inspectorate were appointed to supervise compliance with the provisions of, or pursuant to, the BES Public Records Act with regard to the care and management of archive records.

Various central government institutions are also active on the BES islands. The 1995 Public Records Act applies to these institutions. The Cultural Heritage Inspectorate has monitored compliance with this act since 1995.

The Cultural Heritage Inspectorate visited the public entities on Bonaire, St. Eustatius and Saba in April 2018. The main purpose of the visit was to get to know the administrators and officials at all levels of the public entities and central government institutions. We made an initial assessment of how public records are managed at the public entities.





We also took the opportunity to study the management of public records at the central government institutions during our visit.

Objective

The objective of the assessment carried out by the Cultural Heritage Inspectorate was to help the organisations on the BES islands ensure that their records are and remain accessible, while taking local circumstances and development conditions into account. The objective of this report is to help the governments of the public entities understand which improvements we believe are most essential.

In April 2018, the Cultural Heritage Inspectorate with the Island Governors, the Government Representative, the Island Secretaries, directors, clerks, IT staff, archive staff and implementation staff. We also spoke to employees of the central government institutions on Bonaire. We spoke to heads and employees of organisations working on the BES islands, including the Health Insurance Office and the Tax and Customs Administration. We also spoke with the head and employees of the Shared Service Organisation of the Rijksdienst Caribisch Nederland and finally with the Kingdom Representative.

We also held talks in the Netherlands with conservation advisers from the National Archives, a work planner from Doc-Direkt and the Caribbean Netherlands project leader at the Rijksdienst voor Identiteitsgegevens [National Office for Identity Data]. We also studied relevant documents. The reports were presented to those we had met for feedback. The draft report has been presented to the governments of the BES islands. The governments have endorsed the content and accept the conclusions and recommendations. The government of Bonaire emphasised that sufficient financial resources and expertise must be available to achieve results. The government of Saba also advocated a location-based approach under its own direction. The government of St. Eustatius announced that they intend to realise a new administrative office, which will include suitable internal archive spaces.

1.2 Structure of this report

Chapter 2 provides a summary of the conclusions and recommendations. Chapter 3 addresses the substantive topics. Each section starts with an introduction to the topic in question, followed by the findings, conclusions and recommendations. The chapter concludes with a section on the central government institutions and cooperation with the public entities. The report concludes with a summary of the sources used.

2 Summary of conclusions and recommendations

A summary of the conclusions and recommendations contained in the following chapters of the report is given below.

2.1 Management of public records

Conclusion

- The administrators are aware of their responsibilities, but have not yet implemented the instruments and facilities required to exercise those responsibilities. This means that public records cannot be effectively managed, which threatens the accountability of the administrations.



Recommendation

- The Cultural Heritage Inspectorate believes that an action plan is the most appropriate way to fulfil statutory requirements and identify priorities. This must include the establishment of an Island Ordinance and the organisation of supervision.

2.2 Storing and destruction

Conclusion

- While there is a valid destruction list, it must be updated in the form of a selection list. This is an indispensable administrative tool because the volume of information is expanding and the risk of information being lost is increasing every day. The government of Bonaire is working to realise such a list. The governments of Saba and St. Eustatius may also be able to make use of this list.

Recommendation

- Provide up-to-date tools for storing and destroying public records. This may be done for each island or collectively.



2.3 Archive spaces and archive repositories

Conclusion

- The spaces where the semi-static and static archives are currently stored are unsuitable for the safe storage of archives. It is imperative that a solution is found. Archives have been lost in the past and there is still a risk of damage or loss of archives due to fire or flooding, for example due to the presence of windows and air conditioning systems in the buildings. Added to this is the risk due to the climatic conditions in the area, i.e., high temperatures and high humidity. The Windward Islands in particular are often affected by hurricanes.

Recommendation

- Provide a space for each island where their archives can be stored safely.

2.4 Transfer and cultural heritage

Conclusion

- There are no public facilities for cultural heritage on any of the three islands. This means that the archives of the past cannot be transferred and the archives are not yet accessible to the public. Before this can happen, the archives must first be processed, which is a major undertaking.
- While the islands have accumulated an important archive of their own history through the centuries, it is not preserved under the right conditions and some documents are now in very poor condition. It is now urgent to address the material condition of the birth, death, marriage and registered partnership certificates and Land Registry deeds before they are lost.

Recommendation

- Ensure that the semi-static archives are processed and preserved. The archives that are in poor condition should be prioritised. Doc-Direkt may be able to assist with processing. Once this is complete, make it possible for citizens to easily access the transferred public archives, for example in a heritage institution.

2.5 Digitalisation

Conclusion

- Digital working and archiving have become the norm in the European Netherlands, although this has not

always gone without a hitch. On the islands, information is mainly stored on paper, although the governments also work with digital media such as websites, forms and e-mail. The Island Councils are also increasingly adopting digitalisation. There are no integrated, planned preparations and measures to manage and store this digital information at present, which means there is a risk that information may be lost.

Recommendation

- Include digitalisation and digital archiving of public records in the action plan.





2.6 Management of public records by central government institutions on the BES islands

Conclusions

- The archives of the central government institutions that must be retained (under the 1995 Public Records Act) are located in the Netherlands and not on the islands. It is debatable whether this is desirable, given that they are an important part of the local history of the islands.
- There is a need for knowledge about archiving in the services.
- There are insufficient suitable archive spaces for the management of the semi-static archives. Cooperation with the public entities is an option in relation to the request for assistance in this regard and the need for new archive spaces.

Recommendation

- Investigate the transfer of archives from central government institutions on the BES islands to a location close to their origin.

2.7 Collaboration between the public entities and central government institutions

Conclusions

- There is little cooperation between the public entities and central government institutions in the field of archive spaces and knowledge development at present. A combined solution for the storage of the archives of the public entities and the Rijksdienst Caribisch Nederland may be possible for each island.
- Collaboration in the field of professionalisation, digitalisation and training would be a good option.

Recommendation

- Investigate opportunities for collaboration with the central government services in the field of public records management.

3 Information management and archiving on the BES islands

3.1 Introduction

The BES Public Records Act is the framework that establishes how the public entities should manage public records. While the act sets out requirements, it also assists the public entities with accountability, operations and information management, so that they can manage their public records as effectively as possible. The act also provides guidelines for the safe storage of the archives as cultural heritage, i.e., as part of the history of the islands. The 1995 Public Records Act provides the framework for the central government institutions on the BES islands.



3.2 Findings

3.2.1 Management of public records

The BES Public Records Act prescribes a number of instruments and frameworks for the management of public records, including the establishment of an Island Ordinance and the appointment of an island archivist. The Island Ordinance regulates responsibility for the statutory duties. The island archivist is accountable to the Executive Council and is responsible for matters including the supervision of compliance with the BES Public Records Act for the archives that have not been transferred.

The Executive Councils of the public entities of Bonaire, St. Eustatius and Saba are responsible for the archive records of the bodies of those public entities, in accordance with an Island Ordinance adopted by the Island Council. The Minister for Education, Culture and Science has system-level responsibility for the BES Public Records Act. The Minister and the State Secretary for the Interior and Kingdom Relations (KR) are responsible for the statutory tasks in the field of Kingdom Relations. With regard to the public entities in the Caribbean part of the Netherlands, KR and other partners within and outside the department are responsible for drawing up and implementing BZK policy for the public entities.



Good governance is a key objective, as was recently emphasised in the letters to Parliament on the progress made on St. Eustatius and the presentation of the 2018-2022 Bonaire administrative agreement¹.

During our visit, we discussed the importance of good information management and supervision with the administrators of the islands. At the administrative level, there is certainly a willingness to optimise information management. One of the administrators identified a connection with good governance. The administrators also indicated that a proportional response is desirable: it would be counter-productive to suddenly set the bar too high. It is important that the process consists of small, manageable steps.

¹ Letter to Parliament on progress on St. Eustatius, Parliamentary Papers II 2018/2019 35000 VI, no. 29 Letter to Parliament presenting the Bonaire administrative agreement, Parliamentary Papers I 2018/2019 35000 VI, B Introduction file BZK, 26 October 2017

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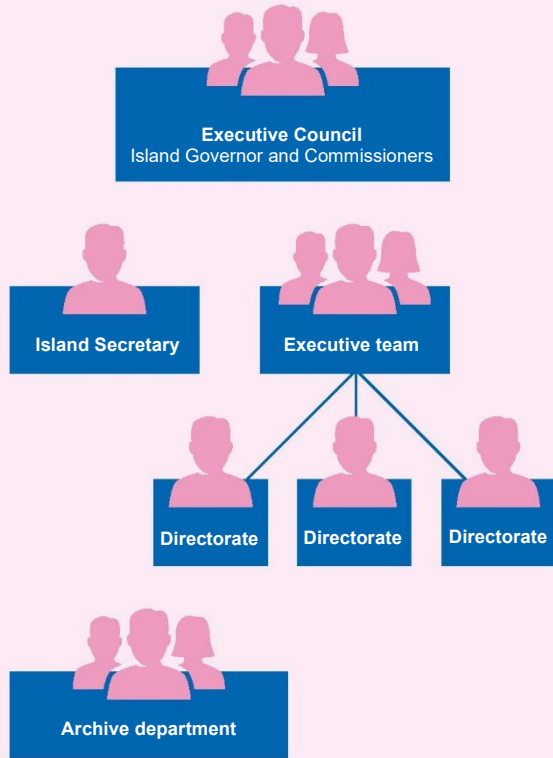
Organisations must possess sufficient knowledge about (digital) information management and there must be sufficient staff to perform all tasks. These conditions apply not just to the supporting archive departments, but also to the officials of the various directorates, as information is received, created and used at the management level.

	Bonaire	Saba	St. Eustatius
Number of archive employees	11	1	2
Training	All: LIDA (Leergang Informatie, Documentatie en Archivering/MBO niveau) [Information, Documentation and Archiving programme/MBO (Secondary Vocational Education) level] 2 employees: SOD 1 1 employee: SOD II 4 employees: LARM (Leergang Aankomend Record Manager/HBO niveau) [Trainee Record Manager programme/HBO (Higher Vocational Education) level]		1 employee: SOD 1

Archive generation

In general terms, the public entities consist of the following archive-generating organisational units. The first is the Executive Council, which consists of the Island Governor and Commissioners. The administrative organisation is led by the Island Secretary. The Island Secretary supports the Executive Council and chairs the executive team. The public entities have various directorates (see Annex 1), each of which has a director. The directors and the Island Secretary collectively form the executive team. All islands have an archive department with one or more archive officials.

The employees of the archive departments record incoming and outgoing mail and manage the dynamic archive of the Executive Council and the semi-static archive (mainly administrative archives). On Bonaire, the HR and Organisation department, the Government of the Island Governor and the Registry also make use of the Document Management System. As the directorates do not receive information management support, they organise it themselves. Each management board organises this in its own way.



We observed that a number of essential tools and facilities are missing. For example, the administrators have not yet adopted an Island Ordinance. While the archive departments on Bonaire and St. Eustatius have initiated this process, the ordinances have yet to proceed beyond the draft phase for various reasons. An island archivist has not been appointed on any of the islands. The Central Government Commissioner of St. Eustatius noted that the appointment of such an official for each individual island is not feasible, given their small scale.

There is also a lack of labour capacity and there is no provision for the internal supervision of information management.

Conclusion

The administrators are aware of their responsibilities, but have not yet implemented the instruments and facilities required to exercise those responsibilities. This means that public records cannot be effectively managed, which threatens the accountability of the administrations.

Recommendation

The Cultural Heritage Inspectorate believes that an action plan is the most appropriate way to fulfil statutory requirements and identify priorities. This must include the establishment of an Island Ordinance and the organisation of supervision.

3.2.2 Storing and destruction

It is important that the information is selected on time to maintain effective oversight and to avoid backlogs in processing. The BES Public Records Act specifies that records may only be destroyed on the basis of a published, valid destruction or selection list. These lists specify the applicable retention periods. The Netherlands Antilles had access to a published destruction list (2007). With the transition from the National Ordinance regulating the Archiving System in the Netherlands Antilles

(2007) to the BES Public Records Act in 2010, the provision was included that the destruction lists that applied to the bodies of the island territories immediately prior to the transition (2010) would continue to apply to the bodies of the public entities with the necessary modifications. This applies until they are replaced by published selection lists.

We have established that the public entities still use the destruction lists² that were established under the 2007 *National Ordinance*. Nevertheless, several of those we spoke to asked for clarity about retention periods. The directorates in particular were unaware of the existence of the lists. It is important to ensure that the retention periods are more widely known because there is a desire to dispose of records that no longer need to be retained; some departments are drowning in paper.

² Annex to the Public Records Decree (PB 2007, no. 7)

Clarity about information

Public records must be accessible, otherwise they cannot be used. It must be clear which records are managed and where they are located.

	Bonaire	Saba	St. Eustatius
Summary of dynamic information held by public entities	Executive Council: yes Directorates: Partially	Executive Council: yes Directorates: Partially	Executive Council: yes Directorates: no
Registration and storage	Mail registration POVO Plans for registering and storing documents in JOIN case system	Registration in Excel sheet	Registration in Access
Access to semi-static archive at the archive department	In POVO (1994-present) Cleaned up archives in Excel sheet (1994-2010) Carbon copies, binders, files (1934-1994)	In Excel sheet	In Access (provides access to administrative archives from 2000)

Tasks of the organisations on the BES islands and destruction

An adapted selection list will be drawn up for the Bonaire public entity based on the selection list for archive records of municipal and inter-municipal bodies in the European Netherlands.

The central government institutions working on Bonaire use the selection lists of their parent organisations in the European Netherlands. We observed that some tasks that are assigned to the central government in the Netherlands are carried out by the municipalities on the BES islands and vice versa. National institutions also perform tasks that are performed by an independent administrative body in the Netherlands. The public entities also have island-specific tasks. It is important to take this into account during selection and destruction.

The public entities have not yet published a selection list. The archive employees on Bonaire pointed out that they cannot make effective use of the destruction list when processing the backlogs because it does not align well with the current processes. The Executive Council has therefore instructed Doc-Direkt to draw up a new list based on the 2017 *Selection List for archive records of municipalities and inter-municipal bodies*, which was drawn up under the coordination of the VNG [Association of Netherlands Municipalities]. The draft list is now complete. The archive department of the government of

St. Eustatius is currently drawing up a new selection list. However, it is now time to take the next step. The government of Saba has not yet started the process of drawing up a selection list. There is no coordination between the various archive departments on the islands about drawing up the list.

Conclusion

While there is a valid destruction list, it must be updated in the form of a selection list. This is an indispensable administrative tool because the volume of information is expanding and the risk of information being lost is increasing every day. The government of Bonaire is working to realise such a list. The governments of Saba and St. Eustatius may also be able to make use of this list.

Recommendation

Provide up-to-date tools for storing and destroying public records. This may be done for each island or collectively.

3.2.3 Archive spaces and archive repositories

Archive records must be managed in an archive space that protects the archives. The BES Public Records Act and the BES Public Records Decree establish general archive storage standards. These state that the caretaker is obliged to situate, build and



furnish the archive spaces and archive repositories in such a way that the archive documents they contain are exposed to as little risk as possible in the event of an emergency. This also applies in the event of renovations or modifications to these spaces. Archive spaces and archive repositories must also be adequately secured against fire, break-ins and flooding. The Executive Councils of Bonaire, St. Eustatius and Saba must designate an island archive repository for the archive documents of the bodies of the public entities that are to be transferred. After a maximum of twenty years, the caretaker will transfer the archive documents that are not eligible for destruction to this archive repository in accordance with Section 17 of the BES Public Records Act.

The directorates (which occupy multiple locations on Bonaire and St. Eustatius) of each of the islands have archives in their offices across the islands. These include dynamic archives, as well as old land registry archives and old birth, death, marriage and registered partnership certificates. Directorate archives have been placed in a non-conditioned container on St. Eustatius due to lack of space.

We also visited the places where the semi-static and static archive (the archive that is only used occasionally) are kept during our visit. All three islands use office spaces on the ground floor for this purpose. Workstations have been set up in the spaces. The spaces do not have fire-resistant access doors and have windows.

Air conditioning systems are operational in all the spaces. On St. Eustatius, the static archives are also kept in Fort Oranje.

In the past, there have been incidents of flooding in these spaces on the three islands due to rain showers, tap water or water leaks from the air conditioning system. On Saba, the space where the archive of the public entity is stored has been infested by termites in the past. This space was treated for this problem in 2010, although some archives were lost (it is not known which archives). Archives on St. Eustatius have been lost due to fire in the past. The hurricanes that regularly affect the BES islands have caused archive loss on Saba and St. Eustatius in the past.

On Bonaire, the ground floor of an office building that is in use as an archive space was formally designated as an archive repository on 8 October 2010. This location was approved by the National Archives of Curaçao at the time. Modifications have been made to this location following an inspection by the fire brigade and the lighting has been adjusted.

Emergencies

An emergency plan contains the procedures and agreements to be followed in emergency situations. The plan describes the division of tasks, responsibilities and competences in the event of an emergency. There are no archive emergency plans on the islands that can be triggered in the event of an emergency that threatens to cause damage.

Given the circumstances, this space was the best possible solution on Bonaire. No such space has been established on either Saba or St. Eustatius.

The government of Bonaire developed a detailed plan in 2015 in partnership with the Rijksdienst Caribisch Nederland for the establishment of a shared space. This plan has not been realised and is yet to progress beyond the planning phase.

Conclusion

The spaces where the semi-static and static archives are currently stored are unsuitable for the safe storage of archives. It is imperative that a solution is found. Archives have been lost in the past and there is still a risk of damage or loss of archives due to fire or flooding, for example due to the presence of windows and air conditioning systems in the buildings.

Added to this is the risk due to the climatic conditions in the area, i.e., high temperatures and high humidity. The Windward Islands in particular are often affected by hurricanes.

Recommendation

Provide a space for each island where their archives can be stored safely.

3.2.4 Transfer and cultural heritage

The islands have a special history, which is largely contained in the island archives. These archives include data on citizens, land ownership and the history of society and government. The archival institution is also the place where members of the public can access their own history. This is stipulated in Section 19 of the BES Public Records Act: 'The records that are kept in an archive repository are public.



Before transfer, archives often need to be processed. This involves destroying documents or files that do not need to be transferred, arranging and preserving those that remain and preparing an inventory.

Archive and backlogs	Bonaire	Saba	St. Eustatius
Processing backlogs	Administrative archives (back to 1934): partially Directorates: building permits processed through 2010. Directorates other: unknown	Administrative archives (back to 1938): no	Administrative archives (back to 1980): yes Directorates: unknown
Inventory	Processed archives: partially Other: no	No	No

Subject to the restrictions arising from the provisions of those sections, all are permitted to consult those archive records free of charge and to make images, copies, extracts and edits of the records or to have them made at their own expense.’ This right is conditional on the designation of an archive repository and the transfer of the archives to the repository. Archives are retained in perpetuity in principle. This requires care and attention for the material condition of the items and the packaging and storage conditions.

Transfer

The public entities have not yet made any provisions for citizens to study and search their own history, for which there is certainly a demand. On Bonaire in particular, citizens often visit the archive location at Kaya Grandi 51 to explore records of the past. The Executive Councils of Bonaire and Saba wish to make their archives accessible. The government of Saba has plans to devote attention to the cultural history of the island, which include policy and a project. The government also wishes to make their archive publicly accessible.

The government of Saba is very keen to make the cultural history of the island accessible on a long-term basis. The government of St. Eustatius shares this wish. None of the public entities have formally transferred their archives to date, which means these archives are not yet publicly accessible.

Cultural heritage

All three islands have civil registry records dating back to the 19th century. The civil registry consists of certificates that provide authentic, unique and indisputable proof of birth, descent, marriage, divorce, partner registration and death. Because of their great importance, the civil registry records in which the certificates are kept are drawn up in duplicate and stored in multiple locations. For the BES islands, the ‘duplicates’ are sent to the Court of Justice on Curaçao. The oldest certificates are in (very) bad condition on all the islands. A slave register from St. Eustatius dating from 1863 has recently been restored and digitised by the conservation advisers of the National Archives in the Netherlands and was handed over to the acting Island Governor of St. Eustatius in 2016.

Archives that are in poor condition must be restored or transferred to another medium.

Heritage	Bonaire	Saba	St. Eustatius
Preservation completed	Civil registry records (back to 1830): digitised	Civil registry records (back to 1877): no	Civil registry records (back to 1811): scheduled
	Land Registry (back to 1830): no	Land Registry (back to 1876): digitised	Land Registry: unknown
	Government archives: Records from 2004 digitised. Documents in reasonably good condition.	Government archives: unknown	Government archives: unknown

Recommendation

Ensure that the semi-static archives are processed and preserved. The archives that are in poor condition should be prioritised. Doc-Direkt may be able to assist with processing. Once this is complete, make it possible for citizens to easily access the transferred public archives, for example in a heritage institution.

3.2.5 Digitalisation

Digital working and archiving are increasingly becoming the norm worldwide. Office automation applications have been used in public administration since last century. E-mail has become an important part of public records, and the use of applications for human resources and financial tasks is now the norm, including on the BES islands. Special measures are required for the digital archiving of public records.

Digitalisation is still in its infancy on the islands, in part due to issues with the digital infrastructure and information security. This means that much work is still done on paper.

The Executive Councils use paper archives, although these are scanned and made accessible. E-mail is also used and the governments have websites. Those we spoke with did express the wish to digitalise their working and archiving processes more. The reasons given were:

- Lack of space for the paper archive.
- Efficiency.
- Improved customer service.
- Risk of paper being lost in the event of an emergency.
- Better accessibility.

Conclusion

Digital working and archiving have become the norm in the European Netherlands, although this has not always gone without a hitch. On the islands, information is mainly stored on paper, although the governments also work with digital media such as websites, forms and e-mail. The Island Councils are also increasingly adopting digitalisation. There are no integrated, planned preparations and measures to manage and store this digital information at present, which means there is a risk that information may be lost.

Recommendation

Include digitalisation and digital archiving of public records in the action plan.

3.2.6 Management of public records by central government institutions on the BES islands

Central government institutions are active on the BES islands (see Annex 2). Ministries and other administrative bodies in the Netherlands are responsible for their work. These institutions include the Tax and Customs Administration, various ministries and the Immigration and Naturalisation Service. The 1995 Public Records Act applies to these organisations.

Three issues became apparent during the interviews and while studying documents about the information management at central government institutions.

The central government institutions are each individually responsible for their own information management and archiving until the archives are transferred to the SSO CN. The services are often small and there is no specialist employee for information management. Those we spoke to indicated that there is a need for knowledge about storage and destruction, what to archive and what not to archive, monitoring the process of opening and closing files, organising archives and making them accessible.

The space where the Rijksdienst Caribisch Nederland (RCN) keeps the semi-static archives of the central government institutions was rejected by the Auditdienst Rijk [State Audit Service] in 2016 on information security grounds.



Background of information management by central government institutions on the islands

The Rijksdienst Caribisch Nederland (RCN) serves as the link between the ministries active on the islands of Bonaire, St. Eustatius and Saba. Each ministry is responsible for the specific details of implementing the policy of that ministry. The shared service organisation of the Rijksdienst Caribisch Nederland (SSO CN) supports departments and services in several areas, including facilities management, housing, ICT personnel, information security and archiving. The SSO CN is managed by the Ministry of the Interior and Kingdom Relations (BZK). The RCN archive department is part of the facilities management department of the SSO CN. This department was established in 2011. The RCN archive department manages the semi-static archives of a number of central government institutions. Each service has an individual agreement with the SSO CN. The departments and services submit their sealed archives to the RCN archives department on paper.

A new space is currently being set up on Bonaire for the RCN archives department in accordance with the standards of the Rijksvastgoedbedrijf [Central Government Real Estate Agency]. The RCN server will also be located in this space. The archive space on Saba is housed in the warehouse of the RCN office and does not meet the requirements of the Public Records Act.

Because the RCN Archive space has been rejected, the RCN and Doc-Direkt have arranged for the paper archives to be shipped to the Netherlands twice a year. This is now in effect and is in fact an interim information security solution. However, shipping archives also entails risks. In the future, the permanent archives of the central government services will be transferred to the National Archives in the European Netherlands in accordance with the 1995 Public Records Act. This means that relevant information will not be readily accessible to the inhabitants of the islands.

Conclusions

The archives of the central government institutions that must be retained (under the 1995 Public Records Act) are located in the Netherlands and not on the islands. It is debatable whether this is desirable, given that they are an important part of the local history of the islands.

There is a need for knowledge about archiving in the services. There are insufficient suitable archive spaces for the management of the semi-static archives. Cooperation with the public entities is an option in relation to the request for assistance in this regard and the need for new archive spaces.

Recommendation

Investigate the transfer of archives from central government institutions on the BES islands to a location close to their origin.

3.2.7 Collaboration between the public entities and central government institutions

Cooperation in information management between public entities and central government services can result in joint solutions to issues that individual organisations cannot solve alone. Due to the small scale of the islands, combining efforts and resources could accelerate developments. Collaboration can also improve efficiency.

Cooperation in information management has been discussed with the directors of the public entities.

Cooperation between the islands was discussed, as well as with the Rijksdienst Caribisch Nederland and Dutch organisations such as the VNG [Association of Netherlands Municipalities]. There is currently very little cooperation in the field of information management, although the administrators are all open to greater cooperation. The physical distance between the Leeward and Windward Islands is great, which means that a shared facility is probably impractical. Those we spoke to believed that it may be possible to cooperate with the RCN in the field of infrastructure or archive spaces.

The partners at national level are also open to this idea. Collaboration with the public entity is certainly seen as a good and desirable option.

Shared use of the new building for the new archive and server may be an efficient solution.

Conclusions

There is little cooperation between the public entities and central government institutions in the field of archive spaces and knowledge development at present. A combined solution for the storage of the archives of the public entities and the Rijksdienst Caribisch Nederland may be possible for each island. Collaboration in the field of professionalisation, digitalisation and training would be a good option.

Recommendation

Investigate opportunities for collaboration with the central government services in the field of public records management.

Possible focus points for each island for the action plan

- The drafting and implementation of an Island Ordinance.
- The appointment of an island archivist to optimise information management.
- Organisation of supervision of the management of public records.
- Archiving training for all employees.
- Drawing up and publishing a selection list.
- Eliminating backlogs.
- Preservation of archives.
- Setting up a safe archive space.
- Making archives accessible to third parties.
- Digitalisation and digital archiving.





BES Public Records Act and 1995 Public Records Act

In 2010, it was announced in the BES Public Records Act and Decree that further rules would be laid down by ministerial regulation no later than five years after the transition (2010) regarding the construction, renovation, furnishing and redesign of archive spaces and archive repositories, as well as how buildings or parts of buildings could be put to use as archive spaces or archive repositories. It was also announced that rules would be laid down by ministerial regulation with regard to ensuring that archive records that qualify for storage due to their inclusion in a selection list are stored in an orderly and accessible state. Finally, a ministerial regulation was announced to ensure that archive records remain in good condition in the long term.

The ministerial regulations have not yet been adopted. The Cultural Heritage Inspectorate believes that additional rules for spaces, durability and accessibility are appropriate and necessary to clarify the requirements. Given the principle that the capacity of the islands to implement any new measures and regulations must be taken into account when introducing legislation, the State Inspectorate for Cultural Heritage concludes that the regulations must be appropriate for this context. The State Inspectorate for Cultural Heritage also believes that the regulations should take account of the local situation, in particular the climatic conditions.*

** Parliamentary Papers II 2009/10, 31 957, no. 6, p. 7*

Sources

The assessment of the management of public records on the BES islands was carried out by the chief inspector and a senior inspector of the Cultural Heritage Inspectorate.

List of parties consulted

Bonaire public entity

- Island Governor
- Island Secretary
- Head of the Mail and Archives department
- Chief Archive Officer
- Supervision and Enforcement director
- Supervision and Enforcement office manager
- Land Registry director
- Registry office employees

Saba public entity

- Island Governor
- Island Secretary
- Archives department employee
- Head of Planning at the Land Registry
- Head of Human Resources
- Cultural department policy officer
- Interim head of Finance
- Network administrator
- Clerk
- Councillor
- Registry office employee

St. Eustatius

- Central Government Commissioner
- Interim Island Secretary
- Senior administrative assistant
- Support employee of the interim Island Secretary
- Culture and Social Support unit manager
- Head of Registry office

- Registry office employees
- IT department employees
- Finance policy officer
- Human Resources officer

Kingdom Representative

Central government institutions

- Tax and Customs Administration: director
- IND: front office coordinator
- Ministry of Education, Culture and Science (OCW): deputy head of service and liaison officer
- Shared Service Centre RCN: head, head of facilities and DIV (document and information service) employee
- Dutch Caribbean Probation Service: director
- Ministry of Social Affairs and Employment (SZW): legal assistant and support worker
- Guardianship Council: senior employee
- Health insurance office: ICT coordinator, head of operations and office manager

List of documents consulted

General

- *Inspectierapport archiefbeheer Nederlandse Antillen 2008* [Inspection report on archive management in the Netherlands Antilles 2008], by General National Archivist, Archive Management supervisor Netherlands Antilles (February 2009)
- *Rapportage onderzoek archieven Nederlandse Antillen* [Research report on archives in the Netherlands Antilles], Doc-Direkt (November 2012)
- *Resultaten factfinding BES gemeenten* [Results of fact-finding BES municipalities], National Archive (2016)

Bonaire

- *Opleidingen, Post en Archief* [Mail and Archive training programmes] (not dated)
- *Requirements Zaaksysteem Post en Archief* [Mail and Archive cast system requirements], public entity (September 2017)
- *Organisational chart Bonaire public entity*
- *Beschrijving overdracht naar het Nationaal Archief* [Description of transfer to the National Archives], Mail and Archive (not dated)
- *Conceptprotocol archiefbeheer (incl. input PA OLB)* [Draft archive management profile (incl. input from Mail and Archive department at Bonaire public entity)], Mail and Archive (not dated)
- *Stroomschema overdracht Nationaal Archief* [Flowchart transfer to National Archives], Mail and Archive (not dated)

Rijksdienst Caribisch Nederland (RCN)

- *Concept Generieke Waarderingslijst-RCN* [Draft Generic Valuing List - RCN] 0.1 (July 2017)
- *Toekomstvisie afdeling documentaire informatievoorziening* [Future vision for documentary information services], Rijksdienst Caribisch Nederland (September 2017)
- *Overdrachtsdocument DIV* [Document and information service transfer document], RCN (2017)

Annex 1

Official organisations on the BES Islands

The administrative organisation of the government of **Bonaire** consists of the following directorates:

- Operations and Support Directorate.
- Supervision and Enforcement Directorate.
- Space and Development Directorate.
- Society and Care Directorate.

The administrative organisation of the government of **Saba** consists of the following departments and offices:

- General Affairs Department.
- Welfare Department.
- Finance and Economic Affairs Department.
- Government office.
- HR and organisation office.

The administrative organisation of the government of **St. Eustatius** consists of:

- Public Affairs and Support Directorate.
- Society and Welfare Directorate.
- Economy and Infrastructure Directorate.

Annex 2

Central government institutions on the BES Islands

- Authority for Consumers and Markets
- Tax and Customs Administration Caribbean Netherlands (B, E, S)*
- Fire Department (B, E, S)
- Statistics Netherlands (B)
- Customs (B, E, S)*
- Immigration and Naturalisation Service (B, E, S)*
- Youth Care and Family Supervision (B, E, S)*
- Correctional Institution (B)*
- Royal Netherlands Marechaussee (B, E, S)
- Dutch Caribbean Police Force (B, E, S)
- Ministry of Economic Affairs (B, E, S)
- Ministry of Social Affairs and Employment (B, E, S)
- Ministry of Infrastructure and Water Management (B, E, S)
- Ministry of Education, Culture and Science (B, E)
- BES Public Prosecutions Office (B, E, S)*
- Probation Service
- Rijksdienst Caribisch Nederland (B, E, S)*
- Central Government Real Estate Company
- Kingdom Representative (B, E, S)
- Guardianship Council (B, E, S)*
- Health insurance office (B, E, S)*
- Joint Court of Justice (B, M).

Organisations with an * make use of the services of the RCN archive department.

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