



KOSOVO SPECIALIST CHAMBERS  
DHOMAT E SPECIALIZUARA TË KOSOVËS  
SPECIJALIZOVANA VEÇA KOSOVA

# Detention Management Unit Instruction

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## Items and Substances Prohibited in the Detention Facilities

<b>Approved by:</b>	<b>The Registrar, Kosovo Specialist Chambers</b>
<b>Approval date:</b>	<b>23 September 2020</b>
<b>Issued by:</b>	<b>Chief Detention Officer</b>
<b>Issued on:</b>	<b>23 September 2020</b>
<b>Effective date:</b>	<b>23 September 2020</b>
<b>Supersedes:</b>	<b>N/A</b>
<b>Reference:</b>	<b>KSC-BD-31</b>

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## Section 1 Purpose and scope

1. This Instruction has been issued by the Chief Detention Officer of the Specialist Chambers' Detention Management Unit ('DMU') pursuant to Detention Rule 4.6 and in view of Detention Rules 25.1, 25.3, 26.2, 27.2 and 27.3, upon approval by the Registrar.
2. This Instruction sets out:
  - a. items and substances prohibited in the Detention Facilities of the Specialist Chambers ('DF') located within the Dutch Prison in The Hague ('Prison');
  - b. restrictions on the quantity of certain items that a Detainee may possess while in the DF; and
  - c. certain items and substances that are allowed in the DF in specific cases.
3. The aim of the prohibitions and restrictions on items and substances set out in this Instruction is to ensure safety, security and good order in the DF.
4. This Instruction shall be interpreted and applied in a manner consistent with the Rules of Detention, including the Practice Directions referred to in Detention Rule 63, and any other practice directions and instructions adopted or issued pursuant to Detention Rule 4.

## Section 2 General

1. During their stay in the DF, Detainees shall not have prohibited items or substances in their possession and shall comply with the restrictions on the quantity of certain items.
2. Counsel, other visitors and persons who may be authorised to enter the DF, such as contractors, shall not introduce prohibited items or substances into the Prison or the DF.
3. Attempts to introduce prohibited items or substances into the Prison or the DF may lead to disciplinary, administrative or criminal proceedings before the competent authorities, including the authorities of the Netherlands, as appropriate.
4. Attempts to bring mobile phones or dangerous prohibited items or substances into the Prison or the DF, such as weapons, ammunition, explosives, drugs or psychotropic substances, shall immediately be reported to the competent authorities.

5. Without prejudice to paragraphs 3 and 4 above, pursuant to Article 7.2 of the Practice Direction on Discipline adopted pursuant to Detention Rule 63, a Detainee commits a disciplinary offence if he or she disobeys the requirements of this Instruction.

### Section 3 Strictly prohibited items and substances

1. The following items and substances shall be strictly prohibited:
  - a. Weapons, such as firearms (guns), knives, explosives, including replica and toy firearms;
  - b. Explosive substances or devices;
  - c. Chemicals that may be used to manufacture explosives, such as hydrogen peroxide or lithium batteries;
  - d. Aerosol pressure spray cans;
  - e. Flammable or corrosive liquids or substances;
  - f. Toxic substances;
  - g. Narcotic drugs and psychotropic substances and their related items or paraphernalia;
  - h. Doping substances;
  - i. Medications, supplements, vitamins and natural remedies (unless authorised);
  - j. Hypodermic needles and syringes (unless authorised);
  - k. Electronic cigarettes;
  - l. Alcohol and alcohol-based products;
  - m. Cheques, money orders and payment cards;
  - n. Money in cash or any other form of currency (unless a visitor brings cash for deposit on a Detainee's financial account);
  - o. False identification documents;
  - p. Devices and items that can be used to save information, including:
    - (1) computers, including tablet computers;
    - (2) cameras, including photo and video cameras;
    - (3) voice recorders;
    - (4) MP3 players;
    - (5) flash drives;
    - (6) USB drives;
    - (7) external hard drives;
    - (8) game consoles.Component parts of the aforementioned devices shall also be prohibited, as well as items used in conjunction with these devices, such as CDs and DVDs (unless in their original format and authorised).
  - q. Devices and items that can be used for electronic communications, including:
    - (1) mobile phones and accessories, such as chargers;
    - (2) smartwatches;
    - (3) radiotelephones;
    - (4) SIM cards;
    - (5) modems;

- (6) individual antennas;
- (7) game consoles;
- (8) heart rate monitors (unless authorised).

Component parts of the aforementioned devices and items used in conjunction with these devices shall also be prohibited.

- r. Devices and items that can be used for monitoring (surveillance), including:
    - (1) motion sensors;
    - (2) headphones operated by radio waves;
    - (3) radiotelephones;
    - (4) binoculars;
    - (5) other optical devices suitable for surveillance.
  - s. Portable CD/DVD-ROM drives;
  - t. Magnets, magnetic devices;
  - u. Tattooing and piercing instruments;
  - v. Insignias of political, military, criminal or discriminatory nature on patches, posters, medals, pins, prints, clothes and other items;
  - w. Material that incites violence, racism or hatred.
- 2. In addition, the Chief Detention Officer may prohibit items or substances as provided for in Detention Rule 25.3.
  - 3. Since the DF are located within the Prison, the Prison may refuse to admit any item that constitutes a threat to its security or good order or to the health or safety of any person therein.

#### **Section 4      Additional prohibited items and substances for visitors**

- 1. Counsel, other visitors and persons who may be authorised to enter the DF shall not introduce any tobacco products, smoking paraphernalia and other consumables, including food, drinks and personal care products. They shall not import these items for Detainees.
- 2. Personal items, such as handbags, wallets, cash and keys, must be left in the storage lockers at the Prison entrance. Due to the limited number of storage lockers, it is advised to bring as little as possible to the Prison.
- 3. By way of exception, visitors may carry the following personal items with them:
  - a. their passport or identification card – up to the entrance to the DF;
  - b. cash that a visitor wishes to deposit on a Detainee's account – up to the entrance to the DF;
  - c. specific authorised items for children up to the age of four (4) – to the visiting area;
  - d. an item other than medication that a visitor medically requires during the visit, such as an asthma ventilator, wheelchair or walking sticks – to the visiting area;
  - e. prescribed medication in accordance with Section 5 of this Instruction – up to the entrance to the DF.
- 4. If visitors wish to import items for Detainees, they shall give all such items to DMU staff at the Prison entrance and follow the import procedures. The visitors shall not carry any such items with them or give any items, including cash, directly to Detainees. The import procedures for family and

other personal visitors of Detainees are set out in the DMU Instruction on Visiting Procedures for Family Members and Other Personal Visitors.

## **Section 5 Visitor medication**

1. Although medications are prohibited under Section 3.1.i of this Instruction, a visitor may request DMU to exceptionally allow the specific medication that a visitor is prescribed to take at a specific time that falls during the time of the visit. A visitor shall request this when applying for a visiting permit or, as applicable, scheduling a visit.
2. If the visitor's request is granted, he or she may carry the medication as authorised up to the entrance to the DF. At the entrance, the visitor shall hand the medication over to DMU staff. The visitor shall be provided with the opportunity to take the medication at a prescribed time.
3. Visitors shall be prohibited from carrying the medication into the DF, including the visiting area.

## **Section 6 Counsel visits in the DF**

1. Pursuant to Detention Rule 26, Counsel who enter the Prison in order to attend Counsel Visits in the DF are allowed to bring paper documents, case-related documents and other materials for preparing the defence, subject to Article 11.3 of the Practice Direction on Counsel Visits and Communications adopted pursuant to Detention Rule 63.
2. In case Counsel enter the Prison in order to attend Counsel Visits in the DF, they are allowed to carry with them:
  - a. their personal laptop computer containing materials for preparing the defence; and
  - b. CD-ROMS and DVDs containing privileged communications, work-product or case-related documents.
3. The import procedures for Counsel are set out in the House Rules of the Detention Facilities.

## **Section 7 Mobile phones of Counsel**

For the avoidance of doubt, when Counsel enter the Prison in order to attend a visit in the DF, they are prohibited from bringing mobile phones or any other communication devices into the DF.

## **Section 8 Items already provided to Detainees**

1. All cells are adequately furnished and equipped with the necessary items, including beds, chairs, desks, blankets, sheets and pillows. Detainees shall not be allowed to introduce their own furniture and items already provided by DMU.
2. Similarly, Detainees are provided with appropriate toiletries and general cleaning implements and materials. They may only have a reasonable amount of such items in their possession, so that the items do not exceed the storage space envisaged for them in a Detainee's cell.

## **Section 9 Allowed quantities and storage of certain items**

1. The type and quantity of authorised items shall be limited to the storage space envisaged for the items in a Detainee's cell, namely, in the shelves over the writing desk and the cabinet. Detainees shall not store items anywhere else in their cells due to security and safety reasons, including fire safety.

2. A Detainee shall be allowed to have in his or her possession at any one time a maximum of:
  - a. 20 CDs and/or DVDs (combined) in their original format; and
  - b. 20 books; and
  - c. 20 magazines and/or newspapers (combined); and
  - d. tobacco products in the amount of 10 packages of cigarettes (200 cigarettes / 1 carton); *or*
  - e. 100 cigarillos; *or*
  - f. 50 cigars; *or*
  - g. 250 grams of tobacco.
3. A Detainee may be allowed to keep matches, in reasonable quantities, or one lighter in his or her possession for smoking purposes, provided that they have been purchased from the Prison Shop.
4. A Detainee shall be allowed to place pictures, posters and other small items on the board attached to the wall in the cell for this purpose.

## Section 10      Electronic devices

1. Detainees' cells are equipped with a TV and central radio.
2. Detainees may have other electronic devices in their possession only with prior authorisation by the Chief Detention Officer. Electronic devices may be considered for authorisation only if:
  - a. they have been approved for use in The Netherlands (CE approval);
  - b. their casing is intact and identification and serial numbers are fully legible;
  - c. they meet the requirements of Section 3 of this Instruction, for example, they do not have electronic transmitting or receiving functions; and
  - d. they can be inspected without damaging or breaking the casing or the main function.
3. A Detainee shall keep authorised electronic devices in his or her cell only.
4. Detainees shall not damage or remove any labels or seals attached to authorised devices upon inspection. Any device found with damaged or missing labels or seals shall be considered a prohibited item.