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Human rights elephants in an era of globalisation : commodification, crimmigration, and human rights in confinement

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Annex I

Topic list RPC Nauru

** Asterisked topics were specifically discussed with those who worked in or have been to offshore processing facilities.*

1. General information interviewee

- o Background of interviewee (education, experience)
- o When was interviewee on Nauru/Manus? For how long?*
- o Role and position interviewee in RPC?*

*2. General information Regional Processing Centre**

- o Who was detained at the moment interviewee was on Nauru?*
- o How were these detainees divided over the different compounds?*
- o What did the facilities look like?*
- o How were the conditions in the facility?*
- o What and how was the relationship between the facilities and the Nauruan community?*

3. Governance system of the Regional Processing Centre

- o Actors involved
- o Interrelationships of these actors
- o Division public/private
- o Division domestic/foreign
- o Who was in charge? Who had leverage?
- o How did these actors exercise their leverage?
- o Why were these actors involved in the arrangements?
- o Continuity involvement actors

*4. Self-reflection of interviewee on his/her own role in the Regional Processing Centre**

- o Did the facilities match their expectations? Did the job match their expectations?*
- o Did interviewee remain involved in the offshore processing debate/policy after return?*

5. Human rights

- o *Human rights – general:*
- o What are human rights?
- o What are the core rights of detainees?
- o *Harm/wrongdoing and protection:*
- o How are detainees protected against harm or wrongdoing?
- o What did the interviewee consider his/her role in protecting detainees' entitlements?
- o Was there (discretionary) room for individuals to make a difference in relation to the position of detainees? Concrete examples?*
- o How adequate is the reporting structure?
- o Is there sufficient transparency (i) between the actors involved and (ii) to the outside world?
- o *Discourse:*
- o Was human rights a useful terminology for the interviewee to express concerns?
- o *Protest:*
- o What does the interviewee think about the protest movements involved in the debate?
- o *Legal:*
- o Human rights compliance
- o What does the interviewee think about the argument that Nauru/PNG is responsible?

Annex II

Topic list PI Norgerhaven

This topic list has been translated from Dutch.

1. Detention population

- o Current detention capacity and current detention population
- o Average stay in PI Norgerhaven
- o Percentage of non-Norwegian prisoners
- o Decisions based on Art. 8(4) Norwegian-Dutch Treaty

2. Services

- o Experiences with available services in PI Norgerhaven
- o Skype facilities
- o Family visits
- o Resocialisation services

3. Cooperation with Norway

- o Division of responsibilities
- o Cooperation agreement
- o Cooperation between Prison Governor and Staff and Facility Manager

4. Position Staff and Facility Manager

- o Experiences
- o Discretionary decision-making
- o Enhancing prison social climate

5. Staff

- o Training Dutch staff
- o Supervision and orders
- o Disciplinary action

6. Monitoring & Oversight

- o Visits of supervisory authorities
- o Norwegian supervision
- o Dutch supervision
- o Inspection of the facilities (esp. in light of Art. 21 Norwegian-Dutch Treaty)

7. *Complaint system*

- o Complaint bodies
- o Application of the *Nederlandse geweldsinstructie penitentaire inrichtingen*
- o Complaints concerning medical treatment detainees (esp. in light of Art. 10(2) Norwegian-Dutch Treaty)
- o Lawyers (esp. in light of Art. 10(4) Norwegian-Dutch Treaty).
- o Complaints by staff

8. *Criminal prosecution*

- o Application Dutch criminal law in practice (esp. in light of Art. 17 Norwegian-Dutch Treaty)
- o Involvement Norwegian prosecutorial authorities

9. *Miscellaneous*

- o Difference with Belgian-Dutch cooperation in PI Tilburg
- o Overall experiences/future of penal cooperation

Curriculum vitae

Patrick van Berlo (Deurne, 1990) holds a bachelor's degree in International and European Law from the University of Tilburg (2011, cum laude), a master's degree in Law from Cambridge University (2012, first class), and a master's degree in Crime and Criminal Justice from Leiden University (2014, cum laude). During his studies at Tilburg University, he completed the Top Class Law honours programme. He furthermore studied a semester abroad at the Faculty of Law of the University of Oslo (Norway) and represented Tilburg Law School at the John W. Adams Summer School in Socio-legal Studies at the Centre for Socio-Legal Studies of Oxford University (UK). At Leiden University, Patrick was a student-assistant at the Institute of Criminal Law & Criminology, a visiting student at the Kaldor Centre for International Refugee Law (UNSW, Sydney, Australia), and a visiting student at the Border Crossing Observatory (Monash University, Melbourne, Australia). In 2012-13, he completed an internship at the Trial Chamber of the International Criminal Court and a traineeship at the Case Analysis Unit of Eurojust. In 2014, he started working as a PhD candidate for the Institute of Criminal Law & Criminology at Leiden University. During his research, he again visited the Kaldor Centre for International Refugee Law and the Border Crossing Observatory in Australia. He furthermore was a guest lecturer at the Van Vollenhoven Institute for Law, Governance and Development of Leiden University.

In the range of books published by the Meijers Research Institute and Graduate School of Leiden Law School, Leiden University, the following titles were published in 2018, 2019 and 2020

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