

Dear Chairman and Members of the Kingdom Relations Committee,

With regard to the St. Eustatius Recovery Provisions Act, it might be nice to take a look at the role of the Island Council. As a relative outsider (but a very involved outsider!) I see it a bit more radical. I am a bit done with this law that has an exclusively European Dutch character.

In the Explanatory Memorandum various aspects of administrative neglect are mentioned (on pages 2 and 3). This neglect is of course inadmissible; after all, the interest of the population demands protection. The progress of the restoration of democracy is measured by twelve criteria that were unilaterally (!) dropped from the sky in a progress report dated November 14, 2018. Looking at the list, they are mainly (read: only) administrative aspects. Consultation with the population plays no role.

The list of criteria, one might assume, must in some way fit the findings and conclusions of the Commission of Sages. After all, that report was the direct cause of the government's actions. On page 48 of their report I read that *the administration on St. Eustatius has taken a great distance from the Netherlands by taking more autonomy on its own authority*. But also: *The Dutch administration has remained at a distance from the feelings on St. Eustatius for too long*. At the very least, I see some discongruence between these findings and the criteria set. After all, all criteria relate to St. Eustatius and none of the obligations concern the Dutch Central Government.

On page 50 this report continues with a.o. *"In order to promote the development of quality of governance the Kingdom Commissioner could appoint two local administrators to form an Executive Council together, whereby all powers would remain with the Kingdom Commissioner. We have certainly seen potential on St. Eustatius"*. But that is going too far for the State Secretary. All governance will be in the hands of a two-headed government commissioner and when the current one is then appointed as interim chairman of the CDA, this is apparently weighty enough to resign him immediately (at his request).

The section on flanking policy - I am still referring to the report of the Commission of Sages - raises various issues regarding investments, a long-term training program and the autonomy debate with an emphatic involvement of the population. *And what do we see of all this?* Here and there an improved road surface, street names and house numbers and perhaps some cleaned-up administrations, and oh yes, not forgetting the traffic circle and the renewed airport. There is absolutely no trace of the autonomy debate with the involvement of the population. For the record, a personal note: I think the "public body" construction is excellent and very flexible. But until now, there has been absolutely no consultation with the population with a well-considered weighing of the pros and cons (or better: *what should be regulated in the Netherlands and what should be regulated at an island level*). I would even like to say: there is an unwillingness on the European Dutch side to even enter into a discussion...

Considering the fact that (in my opinion) no administrators (or: prospective administrators) are being trained and that there is no autonomy debate at all, I am inclined to state that the findings of the Commission of Sages have been interpreted very one-sidedly: the State Secretary is "cherry picking"

from this report. Partly because of this non-compliance with the recommendations in the balanced sense that I mentioned, I would like to argue that the administrative "play" (written and directed by - exclusively - the European Netherlands) should be put aside as soon as possible and that a path should be followed based on education and debate (by respectively the population) where the administrative responsibility lies with the island government, framed in administrative agreements with the central government. And these must be performance agreements and not effort commitments. In short, the "what" is in the administrative agreements with an important input from the European Netherlands and the "how" is filled in the Statian way.

Steps forward must then be taken on both sides of the ocean. On the European Dutch side, those steps come down to letting go of direct rule and focusing more on the main lines. These main lines should - as far as I am concerned - lead to the disappearance of the legal inequality between both types of Dutch citizens. On the Statian side - again: as far as I am concerned - it does not get any easier. Politicians will have to speak much more intensively on behalf of the population and be prepared to make concessions when the common interest requires it. It also seems important to me that the governance agreements are reached in a truly respectful and equal consultation. There are Statian points that deserve a place in the governance agreements that will not get there without that respectful equality. Consider, for example, the public transport function that air travel has. Winair has a monopoly position and the Netherlands seems to be exclusively pursuing Winair's interest and St. Maarten's interest to date. Winair's ownership structure maintains this monopoly position and the Netherlands refuses to date to let the interest of the Statian people play a role in an improved mobility infrastructure. These kinds of unwavering positions need to be met with more openness and objectivity.

Note: This point is topical. A week or two ago I found out by chance that the direct line to Bonaire - which was not promoted anyway - has been discontinued. Even if you would like to fly directly to Bonaire, that option has now silently disappeared from the scene. A strong desire from the Island Council further implies a reduced dependence on the country of St. Maarten. The Island Council has also pleaded for more openness on this connection, for example by opening up to EZ Air (nota bene a company of Bonaire, Dutch Caribbean). Not long ago, a "secret" Titan project was documented by the Dutch central government that deviously allowed Winair to cycle back in.

It does not suit me to get too involved (already) in these governance arrangements. A change in "mindset" would go a long way in a first approach. Of course, the European Netherlands is not the equal partner of the government of Statia in its efforts, which is precisely why equality must be given a role in mutual communication. The image of the colonist imposing his will on the colony must be transformed into that of a supplier who will adopt a customer-friendly attitude (and take the customer's wishes seriously).

And if, finally, there should ever be a working visit by the House of Representatives and/or Senate, let the program be determined not only by the government commissioner and/or the State Secretary but also by what you consider important. Whereby the points that you consider important will also come

about in consultation with the Island Council, which speaks for the population. Oh yes, and don't come for one or two days but take more time to have a conversation and arrive at a well-considered opinion based on your own observations.

Well so far a sufficient description of heaven. Let's see what earthly paradise may result from this.

With kind regards,

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Note: I had prepared the above bill to some extent. When I wrote it I was not aware of the lightning visit that State Secretary Knops c.s. made these days (came yesterday, left already today). Apart from the fact that people from a high-risk country have to observe special measures (the security officer of the island likes to use the word 'protocol' or 'ordinance' a lot for this), in practice this only applies to ordinary mortals. I can hope that no one will fall ill as a result of this visit but that (undoubtedly acceptable) risks have been taken is beyond dispute to me.

Note: Of course I cannot look into the future but I do not exclude the possibility that the State Secretary is on his farewell tour - he is outgoing - because I do not believe that there were matters that were raised during the visit that could not have been discussed "at a distance" (e.g. via a video conference). Surely all a lot safer in these times of pandemic.

Note: The Özütok motion of June 3, 2020 requesting the government (i.e. the State Secretary) to urge the Government Commissioner to prepare, in consultation with the Island Council, a route time table for return to regular administrative relations, obviously enjoyed warm interest from the Island Council. After all, they are looking forward - understandably - to a return to normal relations as soon as possible. The motion requested that the House be informed of this as of February 1, 2021. To date - almost a year after the motion was submitted - nothing at all seems to have been worked out in more detail, at least on this side of the ocean no one seems to have heard anything substantive about it. It is precisely the fact that these milestones have not been fleshed out that gives the government (i.e., the Secretary of State) all the room it needs to continue to act according to its own judgment. The lightning visit of the State Secretary to St. Eustatius included a meeting with the Island Council, but how that meeting went is unclear to me. Tomorrow - Tuesday, May 18 - at 10:00 a.m. the Island Council will hold a press conference. But I wanted, in view of your procedural meeting that same 18th May, to inform you as best I could. So you will have to make do with this incomplete interpretation.