

St. Eustatius, June 8, 2022.

Dear Chairman and Members of the Committee on Kingdom Relations (of the House of Representatives and the Senate),

With interest I took note of some turmoil (in the media) in the discussion about the social minimum. This discussion took place on Bonaire and concerned the three public entities (Saba, St. Eustatius and Bonaire). The core of the discussion is that it takes a very long time - *it is now almost twelve years since 10-10-10 and all this time fighting poverty is a spearhead but nothing happens* - before benchmarks are set regarding the social minimum. And if benchmarks are or will be set at all what does that mean for the social minimum itself and the benefits based on it? The cry for help is *"establish acceptable minimums as soon as possible and adjust benefits accordingly."*

Of course I endorse the cry for help but I add another argument. Other than in my own letters, I have not yet found this argument elsewhere. I consider that the Caribbean Netherlands and the European Netherlands are part of the same country "The Netherlands" and that in this country, in principle, the laws apply in full, unless there is a good reason to follow specific, island laws and regulations instead (ref. *"comply or explain"*). This applies in case the circumstances on the island differ substantially from those in the European Netherlands. I am now referring to article 132a, paragraph 4 of the Constitution.

Now I am not a lawyer but I believe that, in principle, laws are not tested against the Constitution by the judge; this must be done by the legislator beforehand. *So the ball is in your court!* You could request - through the intervention of the government - (forced?) an explanation of this article in the Constitution and its application and scope, to the Council of State.

After all, it seems to me that the mere discussion of a regional subsistence minimum should not be an issue. Surely we do not do that for South Limburg, East Groningen, the Randstad, the Wadden Islands, etc? It seems to me that at the moment a "difference" is too easily defined as being *essential* in order to deviate from the (national) rules for that reason. And it doesn't make people lazy at all (as has been reported in government circles) if they can claim a normal minimum standard of living.

It may be bad of me to think this way, but if you are pertinently unwilling to help the Dutch Caribbean move forward, then - as far as I am concerned - these are sneaky "tricks" to hide your unwillingness behind legal arguments (time-consuming adjustments to the law, etc.). In any case, it does not improve confidence in politics in general and in the government in particular!

Oh yes, and the question I have asked many times why there cannot be a pilot project on St. Eustatius for a guaranteed basic income (under the simultaneous cancellation of the various benefits) does not receive a substantiated answer either.

I wish you much wisdom!

With kind regards,

J.H.T. (Jan) Meijer MSc MBA,  
Bellevue Road 4, Upper Round Hill,  
St. Eustatius, Dutch Caribbean.

*Cc: National Ombudsman*