

The Hague, October 5, 2020.

Chairman and members of the Committee on Kingdom Relations of the TK and EK,

It is of course only a hypothesis and of course I do not know how the fences will turn but I dare to suggest that it is not without reason that Minister Schouten's letter on the social minimum in the Caribbean Netherlands was not delivered on time to the House of Representatives.

It may be - according to my hypothesis - that officials working on the letter have disagreements among themselves on a point of principle regarding the social minimum in the Caribbean Netherlands. Perhaps a certain part of these officials has the idea (in line with my own idea in this regard) that I emphatically and not for the first time but again bring to your attention below.

That fundamental point concerns the following: ***there is actually no (legal) ground at all to have this discussion***. After all, the Caribbean Netherlands and the European Netherlands are two sides of the same coin, namely the country within the Kingdom: "the Netherlands".

In the Netherlands there is a social minimum and that, according to this (my) view, also applies in and to the Caribbean Netherlands. Also the related benefits, as well as the minimum wage, are linked to this social minimum and nowhere in the Netherlands does this minimum have a regional character (i.e. no social minimum for Twente, Zuid-Limburg, Randstad, Zeeland, Oost-Groningen or anywhere else, and thus also not for the Caribbean Netherlands).

The Constitution explicitly states in article 132a, paragraph 4, that when the circumstances in the Caribbean Netherlands are essentially different than in the European Netherlands, own island legislation can be drawn up. With the best will in the world, I could not think of any circumstances that would justify separate regulations - including, therefore, a social minimum for the Caribbean Netherlands. If at all an attempt is made to name these circumstances, in my opinion, it should immediately be determined whether that which is raised is also the case for the differences between the various region in the European Netherlands. If this is not the case, then neither is it the case with the Caribbean Netherlands, is my vigorous argument.

In fact, this view is identical to what I brought to your attention with my letter of September 3 last <sup>1</sup> , and I would also not have written the above when Minister Schouten now seems to have so much trouble offering a coherent argument to the Lower House.

I would therefore like to see this point strongly supported by you on all occasions in the various consultative forums in the coming weeks and months. In the epilogue to my letter of September 3 last, I give you arguments with which, in my opinion, you can oppose possible (bogus) arguments of the cabinet.

Wishing you much wisdom and decisiveness, I greet you with esteem,

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cc: National Ombudsman, Chairman Committee on Social Minimum

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<sup>1</sup> [http://www.statia.nu/bibliotheek/20220903\\_gelijkheid%20CN%20en%20EN\\_NL.pdf](http://www.statia.nu/bibliotheek/20220903_gelijkheid%20CN%20en%20EN_NL.pdf)