

The Hague, April 12, 2023.

Dear Chairman and Members of the Committee on Kingdom Relations of TK and EK,

Although I read that laziness and discrimination is not an issue, I am not convinced. In 2018, legislation could be crafted in a matter of days or weeks to put St. Eustatius under guardianship, while currently - thirteen years (!) after 10-10-10 - the Caribbean Netherlands is still groaning under flimsy laws and regulations in various policy areas.

In the European Netherlands there are laws and regulations in - for example - the area of cars; they are simply there, even if you don't have a car. In other words, it does not matter at all whether laws and regulations apply to the Caribbean Netherlands or not. I cannot figure out why the laws and regulations as applicable in the European Netherlands could not be declared applicable in the whole of the Netherlands (thus including the Caribbean Netherlands). And then there is still room for island (so no generic BES!) legislation in case circumstances on the islands differ substantially from those in the European Netherlands (according to the Constitution). Here I note that not all differences are substantial in nature. The keeping of a different administration for the civil registry (so no BSN for Dutch Caribbean nationals) is not of a substantial nature but the result of official decision-making (which for the same money could have been different!).

I would like to submit that the lack of progress in the development of the Dutch Caribbean Netherlands is mostly due to the limping on two incompatible principles: integration versus association.

The Council of State noted on the occasion of the introduction of the Public Entities: *It already follows from the special nature of the constitutional position and the specific characteristics that Dutch law will not be able to be applied in full to the three associated islands, although after a transitional period this will have to be the main rule.*

Thirteen years after the creation of the three Public Entities, it is as yet unclear when the said "main rule" will take shape. In other words, the government keeps fiddling and postponing....

I would like to see a complete change of course and strive for the realization of one universal law and regulation in the entire country of the Netherlands in the short term (subject to the exceptions permitted by the Constitution). *Stop all the "goat trails," delay and deception!*

The discussion about a social minimum for the Caribbean Netherlands can therefore be relegated to the realm of the fables. After all, there is a Dutch social minimum!

Yours sincerely,

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cc: National Ombudsman