

The Hague, May 15, 2023.

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

In The Daily Herald of May 3, 2023 and in the Antilliaans Dagblad of May 8, 2023 attention was paid to the court's ruling against OLE (Openbaar Lichaam Sint Eustatius) and imposition of a penalty in the dispute between the OLE and EcoStatia/Orange Bay. An article on this dispute between the OLE and EcoStatia/Orange Bay also appeared in DossierKoninkrijksrelaties.nl on May 12, 2023. On May 15, 2023, a ruling was expected in a second appeal under the Government Information (Public Access) Act regarding the disclosure of annexes belonging to reports by Royal Haskoning. This outcome is not yet known.

In the aforementioned article in the Antilliaans Dagblad there was an article on the same page about the Golden Rock Resort on St. Eustatius. There too, there is absolutely no transparency about the procedure regarding the granting of permits. There too, reports are not accessible to the public which supports the suspicion that there are no reports or studies at all. Not into the consequences of felling trees, building on unsolid ground so close to the cliff on the Atlantic side of the island nor into the conditions under which a large reverse osmosis system (for the production of drinking water from seawater) is built and the processing of the waste.

Nothing at all is known about further plans so there is a good chance that tourist attractions such as, for example, a cable car on the Quill - as described in a brochure issued in July 2018 by the Ministry of the Interior and Kingdom Relations - will simply come about without any research by nature organizations. What is striking is that these plans were conceived, articulated and published as a brochure within 5 months of the start of the intervention.

Although I think mine (in terms of right and wrong, culture versus nature, etc.) I think the real problem is the administrative environment in which all this is taking place. After all, you cannot blame an investor - even one whose ethical and moral compass is somewhat faulty - for going for the things he pursues. It is then the administrative environment that must guard the frameworks and ensure that boundaries are not crossed.

If then the government commissioner - and not only the current one but also her predecessors - deliberately looks away when it comes to enforcement, well, then the fence is drawn. For negligence on the Caribbean side of the island they are firmly reprimanded while on the Atlantic coast they just let the cliff mess around. Is that why intervention is taking place so late and only after court rulings and millions are being waved around to cover up the error? It should certainly also be kept in mind here that from 2018 the government commissioners will be directly directed by the Ministry of the Interior and Kingdom Relations in The Hague.

And then I see in the news that Bonaire (with Greenpeace) is suing the country European Netherlands on climate policy. It is not for me now to go into the details of this but rather the fact that Bonaire is going through life as a second-class Netherlands. I mention Bonaire now but St. Eustatius and Saba

are in the same boat. I have reported this fact to the National Coordinator against Discrimination and Racism, but that does not seem to be very effective.

In time - I refer to the view of the Council of State at the time of the constitutional "realignment" - it was envisioned that after 10-10-10 the laws and regulations of the country of the Netherlands would have been adopted with the constitutionally permitted exceptions when island circumstances differ substantially from those in the European Netherlands.

Then other news: Mr. Nijpels (of the "climate table") calls it a "flaw" that the three municipalities are not organized as a province. This strikes me as too narrow a view. After all, there is no significant cooperation in virtually any policy area, and the islands are quite different. The chance is therefore real that the largest island (Bonaire) will become the administrative center with the associated employment and that its policy will be decisive for St. Eustatius and Saba as well: I see this development as very undesirable.

The status of public entity (to be precise: three separate public entities) is in principle a good status to work from. However, the quality of the cooperation with the European Netherlands must improve. The stepmotherly relationship that the European Netherlands maintains must make way for constructive, equal, mutually respectful and regularly organized consultation.

I would like to plead for European Dutch laws and regulations on the Dutch Caribbean islands (as a result of which, among other things, the social conditions there improve substantially), with respect for the justifiable exceptions (for which there would be island laws and regulations). Then we immediately get rid of the discussion about a Social Minimum for the Caribbean Netherlands (after all, we have a Social Minimum for the country of the Netherlands).

And when will nature organizations come up with reports? And where is the critical research press?

Sincerely,

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cc: *National Ombudsman, National Coördinator against Discrimination and Racism*