

Proposal route-timetable return democracy in St. Eustatius

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By: PLP faction, DP faction and Faction Sneek

History

On February 7th, 2018 the Law Task Neglect St. Eustatius has been adopted. On July 16th, 2020 this law has been replaced with the Law Restoration of Facilities St. Eustatius. In connection with this law a motion was adopted by the Second Chamber of Parliament, whereby the national government encouraged the Government Commissioner to draft a route-timetable for the return to full democratic government in consultation with the Island Council. The government was to inform the Second Chamber about this route-timetable before February 1st, 2021.

This date has not been met. On various occasions this has been brought to the attention of the government commissioner by the factions in the island council, but to this date no consultation between the government commissioner and the Island Council on this topic has taken place. Also, no consultation has been scheduled for the near future.

The committee of Kingdom Relations of the Second Chamber in their letter of April 19th, 2021 has requested the Island Council to comment on the proposal of the government, which they were to receive by the end of April. Also, this date has not been met and no proposal has been received.

Present situation

The intervention starting with the Law Task Neglect is now in its fourth year. The process of the Law Restoration of Facilities is still in phase 2 and an island council with limited powers has been installed since October 2020. The government commissioner and the civil service is still working to complete the 12 criteria, which according to the law is necessary to complete phase 2. This includes the appointment of commissioners. The restoration of democracy is also heavily dependent on the working relation between the Government Commissioners and the Island Council as well as the relationship between the various factions within the Island Council.

From the presentation by the various government departments, the Island Council has received, one can learn that it still may take until March or even September 2022 when all 12 criteria have been met. The criteria points set forth in each phase are dependent upon the capacity, in-house expertise, and the execution/implementation of policies. In a worst-case scenario this means that during this governing period ending March 2023 no commissioners will be appointed.

We have encountered a setback twice. The first time with the replacement of the team Franco/Stegers, whereby a new team van Rij/Francis had to pick up where they left. In April Government Commissioner Marnix Van Rij, has resigned from office and we are left with an unfavorable and undemocratic situation where there is one Government Commissioner tasked with 22 portfolios and solely charged with the daily decision making of the executing body.

This contributes to further delays, as no replacement has been appointed and it has been one month since the resignation of the Government commissioner.

The way forward towards restoring democracy

All three factions in the Island Council are committed to the process but based on the aforementioned points and the current and potential setbacks, we would like to use this opportunity to propose to re-evaluate the process to restore democracy. The Council believes in good governance and therefore is a strong proponent of the continued building and strengthening of the various areas of the civil service and government's responsibilities. This, as we know, have been a challenge for decades because of insufficient finances and qualified personnel.

The factions in the Island Council therefore are desirous to step up the pace and move on to the next phase. All factions are of the opinion that the entire process is taking far too long. The factions are accepting the fact that an intervention has taken place, but in a democratic society it is not acceptable or good practice that a community is withheld a fully democratic government for such a long period of time. It is also unprecedented in the history of The Netherlands.

Furthermore, all factions are of the opinion that the functioning of the council itself as well as that of individual members have improved drastically, but that in the present situation they have no influence on the improvement of the quality of the government administration nor on the speed in which this process is taking place. The latter should not delay the restoration of democratic government.

The factions subscribe to the need of the completion of the 12 criteria, but they do not agree with the consequence that this should uphold the process to the restoration of the local democracy. They feel supported by statements made by the former government commissioner Mr. Marnix van Rij on several occasions when he stated that the quality of the administration of the government of St. Eustatius has already surpassed that of our sister islands. And as we know they have a fully functioning local democratic government.

The three factions therefore are desirous to move to a next phase as soon as possible, with a timeline agreed between OLE and BZK. In this phase articles 13, 14 and 15 of the Law Restoration of Facilities should be implemented whereby the Island Council will regain their authority to appoint commissioners, the authority over the Island Council Registry, and the civil service as well as the budget right.

To guarantee a form of assurance that the process is moving forward and will be successful and the 12 criteria completed, the Island Council factions have no objection against the continuation of the role of the government commissioner for a prolonged period of time agreed between OLE and BZK. The Island Council also is desirous to enter a training program to improve the skills and performance of the council members and the Council as a whole.

On the other hand, the Island Council needs the assurance that also from the side of the national government, when entering the next phase and ultimately after full restoration of local democratic government, the support that is presently offered by the national government in human resources as

well as financially will remain in place to guarantee the continuation of the improvements, strengthening of the government apparatus and the elimination of the backlogs. A joined study should be carried out by OLE and BZK regarding the social, economic and infrastructural deficit of the island and a roadmap developed.

Therefore, it is important that some additional criteria will be added to the list of 12.

Additional Criteria points by OLE

Criteria Points By OLE Island Council		
Points	Description	Execution/implementation
Increasing of the Free Allowance		
Connectivity by Air & Sea		
Banking & Notary Services		
Sustainable Road Construction/Maintech Program		
Building of New Hospital		
Establishing a Dialysis Center		
Development of the Harbor		
Sustainable Agriculture and Animal Husbandry Strategic plan		

Criteria Points By BZK (already in Process)		
Points	Description	Execution/implementation
Implementation of Land Policy		
Implementation of Nature Policy		
Continued strengthening and upgrading the Civil Core		
Continued strengthening and upgrading the Financial Management		
Construction of a Government Building		