

Annexe: Status of the 12 criteria

In order to progress, pursuant to the temporary St Eustatius Administrative Provisions (Restoration) Act, from administrative intervention to the full restoration of democracy on the island, a set of criteria must be met in a phased process. The island council, the government commissioner and later the kingdom representative have each been granted certain powers in each phase.

Because the criteria to enter Phase 1 (appointment of island council with limited powers) have been met, an overview of the criteria for each phase has been drawn up.

The overview is given below, and includes the progress made on each criterion.

RC & ISLAND COUNCIL	ISLAND COUNCIL APPOINTS MEMBERS OF ISLAND EXECUTIVE Various powers exercised in this phase		
PHASE 1	PHASE 2	PHASE 2.1	PHASE 2.2
1. electoral register completed 2. reorganisation of civil-service organisation 3. procedures and work instructions for civil-service organisation and clerk's office completed 4. court of audit established 5. training programme for potential politicians established	1. procedures and work instructions for island executive completed 2. ordinances adopted and in force 3. a) systems for issuing permits and exemptions b) grant c) land registry function operational 4. supervision and enforcement (policymaking and implementation)	1. complete skills training programme for civil servants 2. complete training programme for members of island council and island executive 3. personnel policy operational and amended legal status rules adopted	1. digitise and centralise financial processes 2. make planning and control cycle compliant with finbes 3. all financial management actions complete

No.	Criterion	Current situation	Completion date
1	Clean-up population register	<p><u>Phase 1 General assessment against requirements of Elections Act</u></p> <p>In phase 1 an assessment was conducted to determine whether members of the public met the requirements set out in the Elections Act. This was done by conducting house-to-house visits to check whether the individuals registered in the Personal Information System for the Netherlands Antilles and Aruba (PIVA) actually live on the island and hold a valid identity document and/or residence permit. With phase 1 complete, the electoral register is now considered sufficiently reliable.</p> <p><u>Phase 2 In-depth study</u></p> <p>In January 2020 researchers conducted an in-depth study to determine whether all current population records, including source documents, were complete and accurate.</p> <p>The PIVA now needs to be corrected on the basis of the study's findings. This is being done by specialists from the Netherlands. A start was made in March 2020, but owing to the COVID-19 pandemic, the specialists had to return to the Netherlands. This project has been delayed because of the measures currently in place. It is expected to resume in the first quarter of 2021.</p>	Phase 1 completed Phase 2 to be completed by 31 December 2021
2	Manage administrative processes	<p>Around half of the public body's 17 administrative systems are operational.</p> <p>Agreements have been made with the land registry on St Eustatius with the aim of clearing backlogs in preparation for the land registration function to be taken over by the Netherlands' Cadastre, Land Registry and Mapping Agency (Kadaster) on 1 January 2021.</p> <p>It has been agreed that, once all tax ordinances have been modernised, the Tax and Customs Administration of the Caribbean Netherlands (BCN) will assume responsibility for collecting and recovering local taxes.</p>	December 2021 Second quarter of 2021
3	Amend inaccurate or outdated ordinances	<p>There are currently 25 ordinances and orders yet to be adopted. Drafts have been drawn up and will be sent to the island council and the government commissioner for adoption.</p> <p>The financial ordinances are expected to be adopted before the end of the year and</p>	March 2021

		<p>should enter into force between 1 January and 31 July 2021.</p> <p>The non-financial ordinances to be adopted by the island council are expected to be adopted between 1 December 2020 and 31 March 2021, after which they will enter into force.</p>	
4	Reorganise the civil service organisation and equip it with correct procedures and work instructions	<p>After the approval of the new organisational structure on 1 September 2019, the procedure for internal candidates to apply for step-up vacancies has been completed. All key positions and almost all advisory positions have now been filled.</p> <p>The description of procedures and work instructions has been completed.</p>	Completed
5	Describe policy frameworks of the public body	<p>The work processes of the island executive have been described. In the course of 2020, the public body began using the new decision-making formats, for example in the island executive. The delivery procedure is strictly observed to enable the island executive to prepare thoroughly and in good time for upcoming decisions.</p> <p>In addition, an inventory of missing and outdated policy frameworks has been drawn up.</p>	<p>Island executive policy frameworks: completed</p> <p>Other policy frameworks for the public body: January 2021</p>
6	Put supervisory and enforcement instruments in order	Updating offences and sanction measures is part of the process of amending ordinances. Once all ordinances have been put in order, the foundations for enforcement and supervision will be in place. This will need to be followed by implementation at organisational level.	February 2021
7	Equip the civil service organisation to perform supervisory and enforcement duties	<p>On 31 March 2020 waste management supervisors were appointed. A plan of action has been drawn up to tackle the issue of car wrecks, containers and other waste.</p> <p>Inspectors trained as Special Police Officers (BAVPOLs) are conducting inspections of hotels, restaurants and supermarkets.</p> <p>The Environmental Management (Establishments and Activities) Decree, which serves to protect the living environment, will enter into force at the beginning of 2022. This is a year later than planned because of delays caused by COVID-19 concerns in St Eustatius. For example, inspectors are having to undergo training elsewhere.</p>	<p>December 2020</p> <p>January 2022</p>

		<p>A public service contract has been concluded with the municipality of Breda for the provision of</p> <ul style="list-style-type: none"> • assistance with legislation • information about issuing operational permits • training in the areas of enforcement and supervision 	January-June 2021
8	Introduce a multiannual training programme for civil servants and politicians	<p>The training programme for civil servants has been set up on a multiannual basis in order to ensure a lasting impact. In the first quarter of 2020, the training programme was further expanded, with the addition of 15 new training courses. Unfortunately, these courses had to be suspended or postponed during the second quarter due to the COVID-19 measures. If possible, certain courses will be resumed online.</p> <p>In addition, a training and mentoring programme is being set up for aspiring politicians. In cooperation with the Association of Netherlands Municipalities (VNG) and the Netherlands Institute for Multiparty Democracy (NIMD), officials examined what form the various training programmes should take.</p> <p>The first training days to prepare prospective and experienced politicians for their role as members of the island council were held after nomination day.</p> <p>After the elections, too, training days will be arranged for the politicians. The needs of the participants will be examined before each training session to ensure that the training they receive equips them to steadily improve how they perform specific aspects of their duties.</p>	Ongoing into 2023
9	Digitise and centralise financial processes	<p>The digitisation of the financial records system was completed on 1 April 2020. Centralisation will be completed at the end of 2020. Close harmonisation and other change management activities take place in accordance with a standard procedure. The IT management system is still being set up. An audit by the Central Government Audit Service (ADR) of the set-up and management of access to the financial management system will begin in April 2021.</p>	December 2020

10	Set up a planning and control cycle in accordance with the Public Bodies (Bonaire, St Eustatius and Saba) Finances Act (FINBES)	<p>The 2nd monitoring report was submitted on time. The 3rd monitoring report will be delivered at the end of November 2020.</p> <p>The annual accounts for 2017 and 2018 have been finalised and adopted.</p> <p>The 2019 annual accounts is expected to be finalised by mid-February 2021. The public body independently drafted and completed the 2021 budget and delivered it to the island executive.</p> <p>The aim is for all levels of the planning and control cycle to be set up and operational in accordance with FINBES by 1 December 2020</p>	November 2020 February 2021 December 2020
11	Implement activities set out in the plan of action for the improvement of financial management	The new director of operational management, who is responsible for financial management, will attend to matters that had been deferred.	Ongoing into 2021
12	Set up court of audit	The St Eustatius Court of Audit will initially be set up and staffed (for up to two years) by experts from the Rotterdam Court of Audit. The temporary Court of Audit staff were sworn in by the government commissioner on 14 May 2020.	Completed