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CARIBISCH NEDERLAND**

**Draft decision and commitment list public meeting Island Council, 14th October 2021,
09.30 am at the V.A. Lopes Legislative Hall**

Present:

Ms.M.A.U Francis, chairlady (Government Commissioner)

R. Merkman R. Leerdam, N. Sneek, F. Spanner, C. van Putten, Island Council members

E. Jami, Deputy Registrar

Also present: - Deputy Government Commissioner

Absent: -

| Nr | Agenda point | Decisions and commitments |
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| 1. | Opening | The meeting started at 9.45 am |
| 2. | Announcements | |
| 3. | Setting of the agenda | <ul style="list-style-type: none">- C. van Putten: I want to add Summit of BES and Bidding Process for projects on Statia to the agenda. |
| 4. | Ratification decision and commitmentlist(s) | Ratified |
| 5. | List of incoming documents | |
| 6. | Draft decision appointment 2 nd acting Island Council clerk | The proposal was unanimously adopted. |
| 7. | Revised Court of Audit | <ul style="list-style-type: none">- The proposal was unanimously adopted. |
| 8. | CANCELLATION ISLAND COUNCIL MEETING SEPTEMBER 29TH 2021 | <ul style="list-style-type: none">- N. Sneek: We had confusion regarding the Island Council meeting of last month. I had requested an urgent Island Council meeting. To my surprise, the chairlady of the Island Council clearly disregarded the wish of the Island Council that called for an Island Council meeting. And following this cancellation, I requested yet another Island Council meeting. And again, I received a letter from the chairlady refusing to hold an Island Council meeting. Cancellation of the first and |



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| | | <p>second request is against the law and the rules of order. According to the chairlady, the meetings could not be held because the griffier was off the Island.</p> <ul style="list-style-type: none">- C. van Putten: I like to start by saying: I told you so. I cannot work in practice. I will not work in practice. The will of the people should be in all time respected. I do not wish to go back to quote all the laws that was presented by the gentleman on the other side. But I can subscribe and agree to that. The moment the Island Council allowed to two appointed Dutch administrators to sit on the chair of the Island Council and create the impression as if they are in charge based on the Restoration Act, then we would see all hell brake lose. Cancellation of the Island Council, I believe this was an abuse of power. The government commissioner instructed the griffier. The government commissioner cannot instruct the griffier. The griffier is appointed by the Island Council. The Island Council is the employer of the griffier.- R. Merkman: I am individual that likes structure. And therefore, I believe that the steps that were taking today we have to persons that can function on both levels in the Island Council. We have dualism, as stated by both previous speakers. We have everything in place for the proper function of this office. And this agenda point also effect the Central Committee. Based of research, we were |
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| | | <p>not truly following the letter of the law. I also agree with the previous speakers, that not calling the meeting was not a good position to take in light that we have democracy on Statia. I believe a mistake has been made for not calling the meeting.</p> <ul style="list-style-type: none">- R. Leerdam: I don't have too much to say on this topic as my previous colleagues have said to most already. I just like to say that I felt that the process was not handled correctly. During this hole restoration of democracy, it is the propogative of the Island Council along with the government commissioners to work together to make success of restoration of democracy. And what we have been seen for the last few months is a powerplay on both ends. And with this kind of behavior, we will not be successful in restoration of democracy. When I saw the corresponding emails between plaatsvervangend griffier and government commissioner, I too found the government commissioner out of her place. This matter could have handled differently if we communicated better with each other behind closed door.- F. Spanner: A lot has been said. But the main point of is whether of or not the Island Council could hold an Island Council meeting in absence of the acting registrar. There are other advises which counter and expand on the advice of legal department, which support the notion that the meeting should have been called. Looking at all the |
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| | | <p>advises provided I lean towards the position that the Island Council meeting should have been called and as first agenda point appoint a second acting registrar should have been appointed.</p> <p>- Government Commissioner: Today we sit here with different points of view on the matter of meeting should have been held or whether it should have been canceled. I want to stay here today for the consumption of everyone. And that is a fact, because it is recorded in the records that the government commissioners have been more than cooperative with the Island Council. In addition to the schedule. Whenever the members of the Island Council have called whether for an extra ordinary meeting, or whatever, the government commissioners have been more than supportive in the run up to the contention and some of you have stated, this is the only meeting that has ever been canceled. So, in a general statement. I wish to state here today there is absolutely no effort on the part of the government, commissioners to abstract the work of the Island Council. To the contrary, you have sought advice from the constitutional lawyer. And we have worked with civil servants that we have at our disposal, because we believe that we trust our civil servants and the advice, and the advice that we received is also what we shared with you, as the matter of dualism.</p> |
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| | | I agree. Especially with Councilman Van Putten, that the oversight in addressing the registrar directly, that this was a matter of the Island Council. |
| 9. | PROPOSED ROUTE TIME TABLE FOR THE RETURN TO DEMOCRACY | <ul style="list-style-type: none">- N. Sneek: Madam Chair, lady. You said in the previous round that we are not working together. And that is basically the reason that I asked for this meeting. Because I believe that we are not working together, not only the way we were. But the way we should with all kinds of things that are happening, the general public is not aware of. Because as we all know these discussions take place behind closed doors. My first reason is that it has become customary that the government Commissioner meets in an all-official event even with the members of Island Council, behind closed doors to discuss the progress in their own timetable for the return of democracy. And more and more I have become opposed to this way of meetings. I believe the return of a normal form of local democracy is not just important for us as politicians but is much more of a prime matter of public interest, as a plausible, right off the bat. Furthermore, I have requested this meeting because in the meeting that we had again behind closed doors, the government commissioner agreed to present a route timetable on August 17, whereby the proposals of all five members of the Island Council to be send to the state secretary. And this proposal |



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| | | <p>was a unanimous proposal from all five members of the Island Council unilaterally, Madam Chairman, the lady. This council is still the elected body representing the people of Statia. For me, it became clear that the government commission is not willing, or maybe not able or not allowed to work along with it, but instead solely obeyed, to the basis of dogs in a pet home she keeps her weekly meetings.</p> <ul style="list-style-type: none">- I had a hope last year for the appointed local as Deputy Commissioner. This was meant as a signal of the start of giving back the age to where it belongs, namely the elected council, but instead I have the feeling that we are drifting further apart, especially since in the meantime, the deputy commissioner has moved on to become the Government Commissioner versus cooperation as humans and inclusion transparency has often become your words, and no intention can be noticed of any attempt to speed up, and conclude the process, anytime soon. To the contrary, is being prolonged and I don't want to hear the excuses why it's being prolonged.- C. van Putten: Madam Speaker, I want to say.- I told yourself. The only thing that I would want to add here, and it would be very remiss of me if I didn't do it, is that when I listened to the member of the opposition, he was the author of the transgression of the democratic rights and principles of our people. And I |
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| | | <p>listened to him today. I almost started to close my notes, and a move to my office. And it is today, that it is him pulling out the charge. And, unmasking the injustice. A lot of people here who feel that when they removed governments in 2018, that they removed the PLP.</p> <ul style="list-style-type: none">- But they removed the whole island Council, which consisted of the PLP a Democratic Party and the independent, former UPC member, that also at the time, they removed the governor, Mr Julian Woodley, who not so long ago, was knighted by them. And once again, they hijacked, democracy, via a coup d'état. They stated that we put the national laws aside, which was not the case. We said that, if those laws came in the way of the development of our people, then we will use a higher law. And it wasn't, it wasn't that we did something illegal. Madam Speaker, I always struggle back and all the details because I spoke about it so many times, and we agree on practically nothing, but I think that what the member on the opposition benches at minority said was a mouth full. These amounts because again I'm saying our administration was removed, the Democracy was removed, the governor was removed, and they promised us the heaven and earth.- R. Merkman: we're dealing here with the route timetable. As I stated on many occasions, when I came into the Island Council I said that I will lend my cooperation. But, |
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| | | <p>but, let me start from the beginning.</p> <p>The state secretary close removed the the former government on the acquisition of tasks neglect, nepotism. Now, everybody's station knows that. Over the years, the acquisitions have changed. It was that, then it was financial. But after the research, they couldn't find. Well, there was no financial irregularities. And I, again, live long enough to read in our documentation, where the state secretary was saying that the intervention was as a result of years of accumulation of neglect. My question is, does Knops have the capability of judging anyone on integrity. He did. He wanted to lock us up, you know, and everybody knows. All of us have heard the issues of Knops. And I will even put him in the same boat as Hoekstra. Knops is a military man, so he deals with measurements he deals with distances on a regular basis. And I believe that this is the man behind the timetable. Well, let me tell you about the route timetable, following that path, democracy will not come back to the people of Statia, in any foreseeable time. Couple of speakers before me, indicated that it could be another seven years before democracy comeback on Statia. Well, I'm telling them a little secret. It's seven and a half years. Because if I count correctly, we were removed in February, 2018, and the law and the extension talks about September, 2025, and if my</p> |
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| | | <p>calculation is good, that's seven and a half years. This route timetable was made in Holland. My question is: what to these people know about Statia?</p> <p>- R. Leerdam: Thank you, Madam Chair. You know the expression, be careful what you as, because you might get it. They say you are not man if he can admit he's wrong. Yeah, I think Mr. Sneek did not expected that route to democracy be this long. I don't know what he expected, but yeah, be careful with what you ask for. When we finally got to election, we decided to postulate ourselves, each party, not knowing really what it entails you know when you get in, how it would look like in terms of the division of authority. We started off like my colleagues said, Mr. van Rij and Deputy Commissioner is Francis. And I believe we had some hiccups along the way. Then, in any relationship of course you're going to have some hiccups, I guess even in marriages, but once everybody decided and completed to the cause and I think we were getting there, we would sit at a table, and even though we have areas that we did not see eye to eye we would sit at the table and try to work them out. And then Knops left, and I feel that's where our communication between the Island Council, and the government commissioners, we start to see a decline in that area. The routing table and the criteria points, we are focusing mostly on phase two. But when you look at it in its</p> |
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| | | <p>entirety, there are four phases to the restoration of democracy, and during one of our weekends I requested that we look at it in its entirety, because we're really focusing on phase two and the actual date of return and democracy is not known.</p> <p>- F. Spanner: On the agenda regarding proposal timetable for return to democracy. Madam Chair, we can all agree that it is important for a us all for a transition to a full democratic government. In the interest of the people of Sint-Eustatius, all fractions have accepted intervention, as expressed in the joint proposal route timetable return to democracy. This is clearly stated on page two of the Joint Declaration of May 16, 2021, where it is stated that fractions are accepting the fact that an intervention has taken place. Furthermore, the fractions, also seeks to expand the 12 criteria with eight additional points, and the prolonged the role of the government commissioner and all fractions sign that letter. A key component of the law is to strengthen the functioning of our government organization. The idea is that a government organization must be on a certain level, to be able to withstand the past behavior of the former pre intervention government. If fractions agree with that or not, it is not an issue, but it is clearly the intention of the law. The administrative intervention was intended to end on the gross neglect of duty and create a conditions for good</p> |
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| | | <p>governance so that future Island authorities can perform the task properly themselves, preventing a recurrence of the pre intervention situation. At the same time, it is of great importance for the people of Sint-Eustatius that local democracy is restored as quickly as possible.</p> <p>- Government Commissioner: Because most of the questions are very similar, I will answer them in general way to the majority of the questions that we have received, and afterwards I will go over to some of the specific questions that were asked by the different Island Council members and Claudia Toet will answer some other questions that were asked. I start off with the first question that addresses the issue, why the democracy process is taking so much time and again I would want to go back into the details of the situation. And it is clear that the backlog on Statia was enormous. I must say that together with the Civil Service, the deputy government commissioner and myself, that we are gradually making progress, but we are not there yet. As mentioned by, I think, two of the council members, it was mentioned that the process takes as short as possible and as long as necessary and reciprocal effort must also lead to sustainable results and I know for some of you in must not feel may not feel that way. And I dare say that, especially in the field of the vital services of our economy and infrastructure</p> |
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| | | <p>such as construction and improvement of roads, the airport and the air traffic control tower, enormous progress has been made, but keep because these are vital instruments that are needed for any island that is in its path of economic development. And these were foundation infrastructural needs that were left behind. The workload on the Civil Administration is enormous, partly the amount of mandatory courses that you will now have to follow as part of the development take into account. One of the main criteria points was and remains the strengthening of the civil core mentioned specifically by Island Council member Spanner in her discourse. And while we work on the Route Timetable and the restoration of democracy, we also must work on the organization and strengthening the organization to carry the load.</p> <p>- Deputy Government Commissioner: let me start by giving a brief explanation of the Route Timetable and I don't want to repeat the Government Commissioner, but I want the community to understand the hole context. The previous Government Commissioner Mr. van Rij together with Ms. Francis discussed all criteria openly with the Central Committee. Target dates have also been giving during these discussions which were intended to bring you, as the Island Council up to date and to inform you. These target</p> |
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| | | <p>dates have also been communicated with the Island. After the physical visit from state secretary, we sit down again, and the government Commissioner then offered from your letter to speed up some of your proposals, namely, to speed up regular assessments, or the due to timetable, and to speed up the program for the political system. Mr. Snake, you said that we have presented a new order in timetable. But we didn't, we haven't added new items. And I will give you the reason what we wanted to state and to stress on the meeting of the 26th of the September, we the government commissioners just wanted to make clear and give insight, what we are working on. And worked in the summer with all the directors and all the business unit managers to give more insight. So, there is no new route timetable. At that meeting of the 26th of September, unfortunately, there were no input from your side of the Island Council in that last session. Then about the statement, why does it take so long I want to give an insight in the road timetable. If you look at face 2.0 procedures and work instructions, completed the procedures and work instructions. At the presentation on the Central Committee of 11 March of 2021, Ms. Leerdam emphasize that she is not going to approve ordinances for the sake of approval, but that is about the importance of the content. And we as</p> |
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| | | <p>government commissioners concur. This means that we must work together on a good process for our part the government commissioners to public entity.</p> <p>Motion regarding route timetable for the return to democracy from N. Sneek.</p> <ul style="list-style-type: none"> - N. Sneek: Favor - C. van Putten: Favor - R. Merkman: Favor - R. Leerdam: Favor - F. Spanner: Against <p>Motion regarding route timetable for the return to democracy from L. Leerdam.</p> <ul style="list-style-type: none"> - N. Sneek: Favor - C. van Putten: Favor - R. Merkman: Favor - R. Leerdam: Favor - F. Spanner: Against |
| 10 | Summit of BES | <ul style="list-style-type: none"> - C. van Putten: We are a part of a construct with the Netherlands, and we are 1000s and 1000s of miles away from the national government of The Hague. And so, the islands have a lot of problems that are common nature. And we have been talking quite a while, whether via telephone or direct with different members of the island councils, and even attend some of the Executive Council members and we felt that the time might come that we should take the initiative and propose a summit. The only challenge I'm concerned about is the pandemic. And based on the different protocols, and rules |



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| | | <p>and regulation that intrinsic exists here. We are looking towards the 14th and 15th November, because already a number of Council Members of the Islands had indicated their willingness to be here.</p> <ul style="list-style-type: none">- Motion regarding summit with BES from C. van Putten.- N. Sneek: Favor- C. van Putten: Favor- R. Merkman: Favor- R. Leerdam: Favor- F. Spanner: not present for voting |
| 11 | Bidding Process for projects on Statia | <ul style="list-style-type: none">- R. Leerdam: Madam Chair, it's getting late. So, we'll run through this pretty quickly.- But I'm sure you have seen a peak in developmental projects. These projects will cause a boost to the economy of Statia, and have so many indirect and direct spin offs, financial spin off. So, we are of course going to see hardware stores, getting a boost. Personal lab heavy equipment, selling in concrete, etc. Well, in the best scenario, this will be happening, where finally, our entrepreneurs who has taken the risk to provide the island with the services. And we can drive around Statia and see that our locals are building and developing our island, but sadly there's a lot going on when it comes to the tendering process for these projects. I feel personally we are creating a beautiful playground, while our locals are outside looking in.- C. van Putten: Madam speaker, I listen to the presentation of the honorable |



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| | | <p>council lady Leerdam, and I am in total in sync with what she indicated. I remember back in 2011, when I had the privilege to serve as a commissioner on the Executive Council, and several of the meetings that I had about Statia when I visited the Hague in that capacity. I spoke with the Ministry and the different industries and at the time. I think it was the institution and the organization that is responsible for government buildings and the lights and these types of things and I made it abundantly clear. As a government that we were not prepared to cooperate and have, you know, other contractors come from elsewhere.</p> <ul style="list-style-type: none"> - R. Merkman: Awaiting the voting. - N. Sneek: Awaiting the voting. - Government Commissioner: I agree with the notion passed by the Island Council. We need to learn how to work together with local contractors. <p>Motion regarding bidding and tendering process for projects on Statia.</p> <ul style="list-style-type: none"> - N. Sneek: Favor - C. van Putten: Favor - R. Merkman: Favor - R. Leerdam: Favor - F. Spanner: not present for voting |
| 11 | ANNOUNCEMENTS EXECUTIVE COUNCIL AND GOV.COM. (ART. 49/50 RVO IC) | <ul style="list-style-type: none"> - The Public Entity has purchased 2 instruments to measure sound (decibel meter) as part of the enforcement task that falls under one of the criteria points |



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| | | <p>in phase 2.0. The decibel meters have arrived on the island and 7 persons have been identified or participation in the training. Among those who will be trained include two members of the Police Force. (KPCN). The KPCN has also purchased 2 decibel meters one each for Saba and Statia.</p> <ul style="list-style-type: none">- KPCN Saba officers will participate in the training with the Statia participants. The Cabinet and the Task Force have been holding meeting these past 3 to 4 weeks with restaurants, hotels, night spots wrt to the noise pollution situation.- Statia Day 2021 will be held for 5 days from Friday November 12th until Tuesday November 16th. mainly due to the gradual reopening of the island where we have not achieved a high vaccination rate. Last year this was held for just 1 day. The Committee is making the necessary preparations. Invitations will be issued to the Islands of the Dutch Caribbean in the coming week. |
| 12 | Closing | at 6.50 pm |

Attachment: 4 motions adopted by the Island Council.

Adopted on2021.

The griffier,
E. Jami

The chairlady,