

March 12, 2018
Sint Maarten



INFORMATEUR REPORT

MORE THAN THE NUMBERS

By Dr. Nilda Arduin & Mr. Jan Beaujon.

The Governor
H.E. drs. E.B. Holiday
Falcon Drive 3
Harbour View
Philipsburg, Sint Maarten

KABINET VAN DE GOUVERNEUR VAN SINT MAARTEN	
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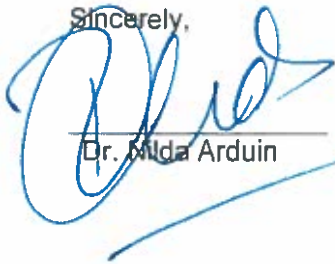
Subject: Final Informateurs Report: 'More than numbers'

Excellency,

In line with the assignment you have entrusted to the undersigned, we herewith provide you with our report entitled "**More than the numbers**".

We trust to have been of service, and avail ourselves of the opportunity to further discuss.

Sincerely,



Dr. Milda Arduin



Mr. Jan Beaujon

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1 INTRODUCTION

1.1 SUMMARY OF ASSIGNMENT

Following the results of the Parliamentary Elections of February 26, 2018, by letter ¹ of March 1st 2018 the Governor, His Excellency drs. E.B. Holiday requested the undersigned of this report to accept an assignment as '*Informateurs*'. The assignment was honorably accepted by both.

The decision to appoint the respective *Informateurs* was made after consultations with the leaders of the political parties that attained seats following the Parliamentary elections, the President of Parliament, the Vice-chair of the Council of Advice and the Chairman of the Central Voting Bureau. Essential to these discussions, was that after the passage and devastation caused by hurricane Irma, Sint Maarten more than ever is in need of a stable Government to manage the reconstruction and recovery process in the interest of the people. Against this background the Governor commissioned the *Informateurs* to explore the possibilities for the formation of a new cabinet that can count on a broadest possible support in the Parliament of Sint Maarten for the execution of the required policies.

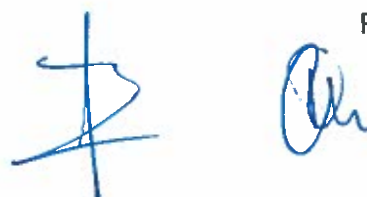
The Governor considers it important that the *Informateurs* compile an inventory of the policy plans of the parties that will be represented in Parliament. In this regard it is essential that amongst others, attention is paid to the vision of the parties in the areas of:

1. a sustainable reconstruction of Sint Maarten with priority for (a) the critical infrastructure, (b) the tourist sector, (c) the social infrastructure, (d) law enforcement and (e) public finances;
2. the cooperation with the Netherlands and more specifically the agreements made with the Netherlands and the World Bank in connection with the reconstruction fund;
3. the preparation of Sint Maarten for the upcoming hurricane season;
4. finding a sustainable and durable solution for the landfill and the waste processing problem; and
5. the role of the social partners in the reconstruction.

1.2 METHOD FOLLOWED BY *INFORMATEURS*

In order to comprehensively execute the scope of the assignment, the *Informateurs* scheduled interviews with the leaders of the elected parties, followed by the Members-elect of Parliament as well as a cross-section of stakeholders in the community. A wide spectrum of views on how to acquire stability in Government and the possibilities to guarantee the same by the broadest support in Parliament were gathered. Subsequently, debriefing sessions were scheduled with the pertinent political parties. Secretariat support was provided by Mr. Ajamu Baly and Mr. Randolph Duggins. A SWOT analysis of all possible coalitions to form a majority in Parliament was executed in order to advise the Governor on the possibilities for the formation of a new cabinet that can

¹ Letter from the Governor, H.E. drs. E.B. Holiday to the *Informateurs* Mr. Jan Beaujon and Mrs. Dr. Nilda Arduin, KI-18/0004.



count on the broadest possible support in the Parliament of Sint Maarten, for stability in executing the policies required in the reconstruction process in the general interest of the public.

1.3 REGULAR FEEDBACK WITH THE GOVERNOR

Pursuant to the Information Assignment, the *Informateurs* have regularly met with the Governor to keep him informed of the progress of the exploratory activities.

The *Informateurs* met with the Governor on Tuesday March 6th 2018 after sessions with some of the Party Leaders and the majority of the Members-elect of Parliament. A second meeting took place on Thursday March 8th 2018 after sessions with all stakeholders and all parties that won seats in Parliament, including Party Leaders and board members.

The progress updates underscored the need for the Information Assignment provided by the Governor; the public represented by the stakeholders considers Sint Maarten to be in a crisis situation. The destruction caused by hurricane Irma and the repercussions thereof compounded the fragile financial, economic and social situation of Sint Maarten.



2 MANIFESTOS, PROGRAMS AND INTERVIEWS

2.1 MANIFESTOS AND PROGRAMS

In addition to the Party Manifestos², which were available to the public prior to the elections of February 26, 2018, the USp and the SMCP provided the *Informateurs* with a PowerPoint presentation of the party's vision and long term plans for Sint Maarten.

While some Manifestos are more specific than others, and the method to achieve the results may differ, all political parties³ elected to Parliament in the 2018 snap elections highlighted the following priority areas: economic recovery, electoral reform, affordable housing, dump rehabilitation, healthcare (construction of new hospital and NHI), improving the quality of education, tax reform, improving immigration services, disaster management review, safety and security as well as the overall strengthening of the Justice Ministry. Parties emphasized that any governing program must use, as a basis, the National Recovery Plan drafted in the aftermath of the hurricanes. Hence, as far as the Manifestos are concerned, the four political parties elected to Parliament in general agree on the critical areas for Sint Maarten. However, no details regarding the steps of approach and the execution of the identified areas are outlined in the Programs.

In addition to above-mentioned priority areas the SMCP identified some specific issues, which have its attention; i.e. reduction of MP salaries, establishing of a Code of conduct for MP's, prostitution, and the general enforcement of existing casino legislation, including a moratorium on the issuing of new casino licenses. These and other issues such as same sex marriage, euthanasia and marijuana are featured prominently in its Manifesto, with a detailed explanation of the party's principle position on each topic. The other elected political parties have not indicated a position on these issues.

2.2 OTHER PLANS AND PROGRAMS PRESENTED BY USP AND SMCP TO THE INFORMATEURS.

USp

In the USp's presentation to the *Informateurs* the party's plan in the following areas were addressed and expounded upon:

- Tourism recovery
- Financial recovery
- Social recovery
- Environment and the dump
- Justice, Integrity and law enforcement
- Infrastructure and hurricane preparedness

² The National Alliance and the Sint Maarten Christian Party published detailed Manifestos. The United Democrats presented a summarized Manifesto. The United Sint Maarten Party did not publish a Manifesto as such the information of the Manifesto 2016 was used for this analysis.

³ United Democrats (UD), National Alliance (NA), United Sint Maarten Party (USp) and Sint Maarten Christian Party (SMCP).



Additionally, the USp underscored its commitment to a stable Government that will complete a 4-year term as well as the conditions set by the Netherlands regarding border control and the Integrity Chamber.

SMCP

The SMCP presented the Sint Maarten Pelican Plan (SMPP), a strategic coalition document drafted in collaboration with the Unleashed Potential Group⁴ (UPG). The document is an executive plan for recovery & reconstruction that has been designed to tackle the short term needs of the Sint Maarten while simultaneously dealing with the long-term reconstruction.

2.3 INTERVIEWS

In order to comply with the assignment of the Governor, interviews were scheduled with Party Leaders, Members-elect as well as members of the Party Board. The main topics discussed were:

1. How to attain stability in Government;
2. The party's priorities for governing the country during the coming four years, including sustainable rebuilding of the country, cooperation with the Netherlands and the World Bank regarding the reconstruction fund, preparation for the upcoming hurricane season, finding sustainable and durable solution for the landfill and the problems of waste management, and the role of the social partners in the reconstruction process;
3. The party or parties considered best to form a coalition with in order to achieve the priorities established for the upcoming governing term;
4. Would the party consider a broad-based Government to guarantee a stable Government in the interest of rebuilding the country? If pro; what will be your conditions? If contra; why?
5. The party's commitment, or not, to form a sustainable coalition through this information process.

Extensive answers were given and discussed. These answers help form the basis of this report and the resulting conclusion.

The United Democrats (UD)

Upon specific request of the UD interviews were held with the Members-elect of the United Democrats collectively. The UD considered the invitation to the individual MP's elect not conducive to stability within the party. The interview scheduled on Monday March 5th 2018 and the debriefing on Friday March 9th 2018 were attended by five, respectively four MP's with apology of the Party Leader.

The National Alliance (NA)

An interview was held with the Party Leader on Monday March 5th 2018, followed by separate interviews with the Members-elect on Tuesday March 6th 2018 and a debriefing of the Party Leader, MP's elect, and representatives of the party's board on Thursday March 8th 2018.

⁴ A Foundation for Dutch Caribbean social economic change established by professional Sint Maarteners living in the Netherlands.

United Sint Maarten Party (USp)

Interviews were held with the Members-elect of the USp including the Party Leader as well as candidates and a contingent of the Party Board including the President on Thursday March 8th 2018. In addition a PowerPoint presentation was made to outline the parties plan for the governing term and beyond.

Sint Maarten Christian Party (SMCP)

An interview was held with the Member-elect of the SMCP on Monday March 5th 2018 and on Thursday March 8th 2018 accompanied by board members. In addition a PowerPoint presentation was made to outline the party's plans, both short term and long term in collaboration with UPG.

2.4 STAKEHOLDERS VIEW

Following the assignment of the Governor a wide spectrum of stakeholders within the Sint Maarten community was invited by the *Informateurs* to gather their views on the priorities of Government in the coming years, as well as creating stability in governing the country. Stakeholders from the private sector, including among others labor unions, NGO's, foundations, religious organizations and a segment of the youth were invited to dialogue with the *Informateurs*. A list of attendees and topics concerned is attached to this report as an addendum.

Letters of invitation were extended, including the following questions for discussion:

1. What is in your opinion the most important task of Government in the coming years;
2. What are your organizations suggestions for stability;
3. How has the frequent changes in Government affected your business / organization;
4. How should Parliament guarantee stability in Government;
5. What are your expectations from Parliament?

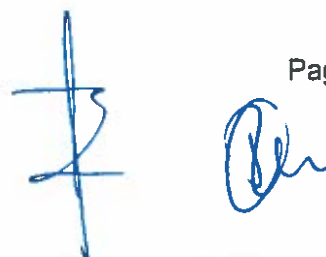
What is in your opinion the most important task of Government in the coming years?

In terms of good governance, all stakeholders presented that a stable Government, which will govern for four (4) uninterrupted years with a clear-cut governing program is *conditio sine qua non* for continuity and stability in Government, especially in this period of recovery. This however does not mean a national Government⁵, but a Government that can rely upon the largest support possible in Parliament to promote stability. Many stakeholders believe a strong opposition is needed to control Government and to ensure proper checks and balances.

The restoration of the (tourism) economy and the improving of investor confidence is considered a priority. The competition from the surrounding islands is fierce and the years of unstable Governments has not done Sint Maarten any favors. The business sector recognizes that the overall well-being of the population of Sint Maarten is a requisite for economic growth.

Focus must be on the reconstruction of our island after hurricane Irma. The Dutch reconstruction funds must be properly utilized for the rebuilding of homes, finding a permanent and

⁵ While there are various definitions for a national Government, in the discussions with the stakeholders, a general interpretation was followed, being a broad coalition Government consisting of all parties in the legislature (usually formed during a crisis or national emergency).



comprehensive solution for waste management and fixing our crumbling infrastructure. Hereto a National Recovery Plan is needed.

Other important issues to be addressed are the improvement of healthcare and considering the upcoming hurricane season, reviewing of the current Disaster Preparedness plans.

Special attention is required for the cooperation between the Netherlands⁶, Sint Maarten and the World Bank so that the vital infrastructure on Sint Maarten can be restored and the resilience of the country against the effects of possible (natural) disasters is sustainably increased.

What are your organizations suggestions for stability?

Many stakeholders believe that electoral reform is needed to put an end to ship-jumping. Additionally, the forming of a Government should follow a specific procedure; firstly a conscious Government formation process, secondly establishing a governing program, followed by the execution of the governing program. Committing to the governing program and guaranteeing continuity of same long term is required. A Code of ethics for elected officials must also be established by Parliament. Some groups even suggested having the Governor assume a larger role by taking part in the Council of Ministers, as is done in the British Overseas Territories.

How has the frequent changes in Government affected your business / organization?

Stakeholders indicated that the continuous change in Government not only affected their businesses or organizations, but the entire island. Businesses cannot flourish in an environment of instability, while the frequent change of Government costs the country a lot of money. Citizens are becoming disenfranchised. This is evident from the low voter turnout and the increase in invalid and blank votes. Local and foreign investors have lost confidence in doing business with and on Sint Maarten. Ministers, who are the speaking partners keep changing. This affects the daily running of Government, but more importantly the tough decisions to be made, in terms of the development of the island. Lack of continuity, transparency and decision-making, because Ministers are only thinking on the short term. Long term strategic (policy) planning and decision-making is required.

How should Parliament guarantee stability in Government?

Stakeholders believe that ship-jumpers should be held accountable and a clear governing accord/ program with measurable objectives and goals should be established by Government.

What are your expectations from Parliament?

Stakeholders expect MP's to show up for work and do their job (co-legislate and supervise), work in the best interest of the country and serve the people. Stakeholders opined that many MP's lack seriousness, fundamental preparedness in dealing with the issues at stake, and hence do not effectively execute their duties. The functioning of Parliamentary committees should improve. To assist the members of Parliament in their task, legislative lawyers must be added to the staff of

⁶ During the information process, the *Informateurs* met with the project-directeur-generaal Wederopbouw c.s. and received an update on the plans and actions so far taken involving the World Bank, the Netherlands and Sint Maarten. It should be noted that all political parties declared their willingness to cooperate with the Dutch Government and to seek ways to include the views and actions of the Sint Maarten Government in this program. A written overview of the state of affairs was provided to the *Informateurs*, which is attached as an addendum.



Parliament and the expertise of the High Councils of State (HCOS) must be utilized more effectively.

Considering that civil servants are the constant in the continuous change of Government, the Secretaries General (SG's) of the Ministries were heard.

They indicated that Government (i.e. Ministers) must implement and adhere to the *Liol* (*landsverordening inrichting en organisatie landsoverheid*). Pursuant to the law SG's are responsible for the organization of Public Administration.

Government (Ministers) must focus on policies, long term strategic planning and decision-making. Unfortunately Ministers too often focus on short term wins (and do not engage in tedious long-term policy development). As a result policy plans often never reach to fruition. While policies may be sometimes unpopular, they are essential for the development and growth of the country.

3 ANALYSIS OF POSSIBLE COALITIONS

Considering the assignment to the *Informateurs* to explore the possibilities of forming a Government with the broadest support in Parliament to promote and guarantee stability of Government, a SWOT-analysis was made of all possible formations of parties that acquired seats in Parliament.

In addition a SWOT-analysis of all other possible formations was made, taking into account the views of the parties regarding the formation of a coalition and the views of stakeholders, that a 'national Government' is not absolutely required for stability and continuity of Government.

It should be noted that any formation, including the SMCP (1 seat) is only considered possible under the condition that USp (2 seats) is not part of the coalition. This is a matter of principle brought forward by the SMCP. All other parties are in general open to work with any party, and do not exclude the involvement of USp.

- I. **SWOT- analysis of formations involving the two largest parties, UD (7 seats) and NA (5 seats), including combinations with the USp (2 seats) or SMCP (1 seat).**

This analysis reflects the following formations:

1.	7+5+2
2.	7+5+1
3.	7+5

Strengths: Twelve (12) or more seats in Parliament supporting the Government gives less or little room for destabilizing Government, as it will take at least five (5) MP's to defect in order to bring down the Government.

Weaknesses: A formation between the two largest parties brings with it animosities of the past, personalities and trust issues. However, the two largest parties, involving the smaller parties to form a coalition will result in a decrease of the available executive portfolios and related functions to be shared between the coalition partners as traditionally has been the case.

Opportunities: A Government supported by twelve (12) MP's has a broad base, and involves the experience and expertise of a larger pool of persons, including seasoned politicians. Such a coalition may face a strong opposition from the smaller parties, which have the opportunity to (re)gain the trust and respect of the electorate. Such an opposition can benefit the checks and balances within Parliament and is in the general interest of the people.

Threats: A breakup of the coalition involving the two major parties may possibly provoke a total split of the coalition, resulting in the formation of new alliances. The effects of a breakup by one of the two major parties in a coalition involving a smaller party will however have less impact.



II. **SWOT- analysis of formations involving the party with the most seats acquired in the elections, the UD (7 seats) with the smaller parties.**

This analysis reflects the following formations:

1.	7+2
2.	7+1

UD (7) and USp (2)

Strengths: Formation based on possible preference rather than a majority based on the broadest support in Parliament.

Weaknesses: Increased possibility of destabilizing the Government as a result of ship-jumping or negotiable deals. History of ship-jumping shows that a shift of loyalty to a party by two (or more) MP's is possible.

Opportunities: Possibility for strong opposition performance in Parliament. This can benefit the general interest of the people.

Threats: Individual threats to break up the coalition and/or threats through outside influence or infiltration.

UD (7) and SMCP (1)

Strengths: Formation based on possible preference rather than a majority based on the broadest support in Parliament. Influence of moral principles and values.

Weaknesses: The numbers provide the possibility of ship-jumping.

Opportunities: Keeping coalition together influenced by expressed principles.

Threats: Ship-jumping encouraged from outside the coalition.

III. **SWOT analysis involving the party with the second largest amount of seats acquired, the NA with 5 seats, forming a coalition with the two smaller parties.**

This analysis reflects the following formation:

1.	5+2+1
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The only possibility for the formation of a coalition includes the USp and the SMCP together, which is not an option considering the principles expressed by the SMCP.

4 CONCLUSION

Considering the need of a **stable Government** to manage the reconstruction and recovery process in the interest of the people and the assignment to the *Informateurs* to explore the possibilities for the formation of a new cabinet that can count on a **broadest possible support** in the Parliament of Sint Maarten for the execution of required policies, the undersigned conclude as follows.

- I. A formation including the **UD, NA and USp** (14 seats) or **UD, NA and SMCP** (13 seats) provides alternatives for a broad support in Parliament to guarantee a stable Government.

The Manifestos, the priorities mentioned by the parties, and the commitment expressed to promote stability with a vision for the coming four years (and beyond) do not provide major differences. However, much work remains to be done with regard to a governing program as no steps of approach on the execution of the priority areas are outlined in the Manifestos and Programs. All parties have in principle subscribed to the areas for which the Governor requested special attention.

1. A sustainable reconstruction of Sint Maarten with priority for (a) the critical infrastructure, (b) the tourist sector, (c) the social infrastructure, (d) law enforcement and (e) public finances is high on the agenda of all parties for the coming four years, with minor differences in emphasis on the matter.
2. All parties expressed willingness to cooperate with the Netherlands and more specifically the agreements made with the Netherlands and the World Bank in connection with the reconstruction funds. However, all parties added and emphasized the condition that the Sint Maarten Government should manage the reconstruction and be dealt with fairly.⁷ The NA explicitly indicated that the party does not have any problem with the Netherlands, however communication and mutual respect is required. All parties expressed the need to strengthen the relationship with the Netherlands.
3. All parties expressed that the preparation of Sint Maarten for the upcoming hurricane season is a matter of great concern. Each party provided valuable suggestions to contribute to hurricane preparedness of the country.
4. Conscious that these matters are not new on the agendas, finding a sustainable and durable solution for the landfill and the waste processing problem have the full attention of all parties. The eminent environmental and health hazard are underscored, as well as the negative impact these situations have on the economy. A thorough outline of plans for possible solutions for the problems was presented by the NA, USp and SMCP.
5. With minor differences in approach all parties see the need for the social partners playing a role in the reconstruction.

⁷ The *Informateurs* observe that after having spoken with the project-directeur-generaal Wederopbow, it appears that none of the parties were sufficiently aware of the status of the process in connection with the reconstruction funds.

Noteworthy is that the stakeholders heard by the *Informateurs* have across the board explicitly expressed the need of involving the social partners in the reconstruction, as well as the importance of all sectors of the society being attended to. Attention to both physical infrastructure and human capital is required. The stakeholders recognize that the development of one sector without the other is not conducive to stability and progress. Business cannot operate and survive without customers. The hotel industry cannot get back on track and flourish without the necessary infrastructure, tourists and other services and activities to support the industry. The citizens need to have jobs to maintain their purchasing power.

The *informateurs* recognize that although the numbers in a formation of **UD, NA and USp** or **UD, NA and SMCP** provide a broader support to Government, the human factor, namely personalities, trust and animosity mentioned by the two largest parties play an important role in promoting stability in Government. Considering the human factor, there are real challenges for stability to be maintained for four years. However, the effects of a breakup by one of the two major parties in a coalition involving a smaller party will have less impact. Through the drafting, signing and committing to a well prepared comprehensive governing program, continuity of the governing program in essence should be secured in whatever coalition that might remain or might be formed by one of these parties, if a split in the support of the Government occurs. In a formation of **UD, NA and USp** or **UD, NA and SMCP** the major players, fourteen or thirteen MP's committed to the governing program, which should secure the continuity of its execution in whatever new coalition supporting Government, is formed. A new governing program deviating from the one all parties and MP's (in these coalitions) committed to, ideally should not be a matter for discussion.

II. Bearing in mind a possible split of the support in Parliament for the **UD, NA and USp** or **UD, NA and SMCP** Government, which would provide for a coalition between **UD and USp** (9 seats) as the next broadest combination, followed by a combination of **UD and SMCP** (8 seats). This brings us to the SWOT-analysis II outlined in the previous chapter.

Considering the weaknesses and threats identified, this formation too is prone to a split of the coalition, and as such a threat to a stable Government. A possible split in this coalition should however - as outlined above - also guarantee continuity of priorities and policies established in the governing program drafted, signed and committed to by these parties.

In conclusion the *Informateurs* establish that the broadest possible support in Parliament for **continuity** of priorities and policies committed to in a governing program signed by the **UD, NA and USp** or **UD, NA and SMCP** are the most viable options, however not a guarantee for a **stable Government**. All parties concerned recognize and expressed that the human factor is the weakening element for creating stability in Government. All parties acknowledge that although party programs and priorities are not the real bottlenecks in forming a coalition, differences in personality, trust and animosity are the real stumbling blocks in providing the country with a stable Government in the interest of the country and the people.



The Formateur

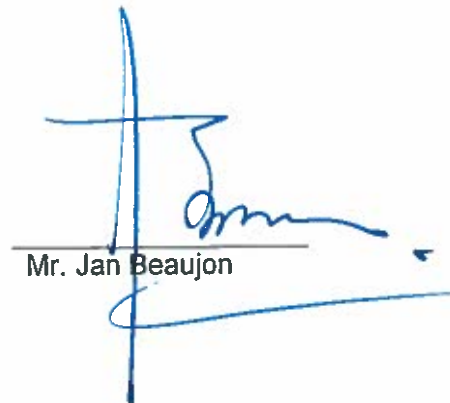
Upon completion of the assignment, the *Informateurs* observe that the main issues to be explored by the *Formateur*, would possibly be:

- Which direction outlined above (I or II) is most viable in the general interest of the country and the people of Sint Maarten to guarantee both stability and continuity in Government.
- Whether the parties, which can possibly provide a broad support for the upcoming governing term, can find common ground to agree on a Governing program, despite the human factor.

The *Informateurs*,



Dr. Nilda Arduin



Mr. Jan Beaujon

5 ADDENDUM

1) COMPARISON MANIFESTOS AND PROGRAMS

MINISTRY	UNITED DEMOCRATS PARTY	NATIONAL ALLIANCE PARTY	UNITED SINT MAARTEN PARTY	SINT MAARTEN CHRISTIAN PARTY
Education, Culture, Youth & Sports	<ul style="list-style-type: none"> - Improve quality of Education - Law on tertiary education - Construction of a National Theater 	<ul style="list-style-type: none"> - Improve quality of education - Law on tertiary education - Construction of a National Theater 	<ul style="list-style-type: none"> - Improve quality of education 	<ul style="list-style-type: none"> - Improve quality of education - Law on tertiary education - Making carnival a more cultural event (less vulgarity)
Labor, Health and Social Affairs	<ul style="list-style-type: none"> - Construction of new hospital 	<ul style="list-style-type: none"> - Construction of new hospital - NHI - Improve mental health - Stopping the abuse of short term labor contracts 	<ul style="list-style-type: none"> - Construction of new hospital - Stopping the abuse of short term labor contracts 	<ul style="list-style-type: none"> - Construction of new hospital - NHI - Stopping the abuse of short term labor contracts
Ministry of Public Housing, Spatial Planning, Environment and Infrastructure	<ul style="list-style-type: none"> - Affordable Housing - Roof repairs - Dump rehab 	<ul style="list-style-type: none"> - Affordable Housing - Roof repairs 	<ul style="list-style-type: none"> - Renewable energy - Dump rehab - Affordable Housing 	<ul style="list-style-type: none"> - Renewable energy - Dump rehab - Roof repairs
General Affairs	<ul style="list-style-type: none"> - Electoral reform - Disaster management review 	<ul style="list-style-type: none"> - Electoral reform 	<ul style="list-style-type: none"> - Disaster management review 	<ul style="list-style-type: none"> - Disaster management review - Electoral reform - Reduction in MP salaries - Code of Conduct MP's

					<ul style="list-style-type: none"> - Reduction severance pay MP's - Change selection process of (Prime) Ministers - Improve immigration services - Tackling crime - Opposed to the legalization of Prostitution
Justice	<ul style="list-style-type: none"> - Improve immigration services - Youth delinquency - Safety & security (crime) 	<ul style="list-style-type: none"> - Improve immigration services - Overall strengthening of Justice ministry - Reintegration P&O - Justice in General 	<ul style="list-style-type: none"> - Improve immigration services - Overall strengthening of Justice ministry 		
Tourism, Economic Affairs, Transport and Telecommunication	<ul style="list-style-type: none"> - Economic recovery - Tourism Master plan - Economy diversification - Facilitation SME's (small medium enterprises) 	<ul style="list-style-type: none"> - Economic recovery - Economic development plan with emphasis on Tourism - Facilitation SME's (small medium enterprises) 	<ul style="list-style-type: none"> - Economic recovery - Tourism Master Plan 	<ul style="list-style-type: none"> - Economic recovery - Sustainable National Development Plan - Enforce laws controlling casino's - Moratorium on casino licenses 	
Finance	<ul style="list-style-type: none"> - New tax system 	<ul style="list-style-type: none"> - Tax reform - Improve tax compliance - Improve central bank functioning - Reduce expenditures - Increase revenue 	<ul style="list-style-type: none"> - Tax reform - 15% flat rate income tax - 10-15% reduction in profit tax 	<ul style="list-style-type: none"> - Tax reform 	

*USp did not submit a Manifesto for 2018 snap elections. A presentation was given on the request of the USp. to the *Informeateurs* on March 8, 2018. Some of that content is represented in this cursory overview.

2) Stakeholder summary

Private sector:

- Indian Merchants Association (IMA);
- Sint Maarten Hospitality and Trade Association (SHTA);
- Sint Maarten Timeshare Association (SMTA);
- Small Properties Association;
- Divi Little Bay;
- Sonesta Group;
- Oyster Bay Beach Resort;
- Coral Beach Club;
- Sint Maarten Chamber of Commerce and Industry (COCI);
- Sint Maarten Bankers Association;
- Sint Maarten Insurance Brokers Association (SIBA);
- Orde van Advocaten.

Labor unions:

- Chamber of Labor Unions.

NGO's:

- Environmental Protection in the Caribbean (EPIC);
- Sint Maarten Nature Foundation;
- Sint Maarten Development Fund (SMDF);

Religion / Churches:

- Christian Council;
- Sint Maarten United Ministerial Foundation (SMUMF);
- Seventh Day Adventist church.

Foundations:

- Anti-poverty Platform;
- Golden Age Foundation.

Youth:

- Teen Times.

Public sector:

- Secretaries General (SG's).

Priorities for Government in the coming four years

Good Governance:

- Stable government (rebuilding of trust in government, citizens are disenfranchised);
This does not mean a national government, but a government with the largest support possible in Parliament. Many stakeholders are of the opinion that a strong opposition is needed to control government and to ensure proper checks and balances.
- Continuity (commitment to 4 years in office);
- Appointment of qualified (professional) Ministers;
- Unambiguous governing program;
- Electoral reform;
- Government must adhere to the Liol (*landsverordening inrichting en organisatie landsoverheid*). Ministers must adhere to the administration structure provided by law (SG's are responsible for the organization);
- Ministers must focus on policies. Long term strategic planning and decision-making to establish vision for the country. Unfortunately ministers often focus on short term wins (and not tedious long term policy development). Policy plans do not reach to fruition, while these are sometimes unpopular, they are essential for the development and growth of the country (spatial planning for example). Ministers do not want to be confined, ad hoc is preferred;
- Limiting of expenditures.

Economy & Tourism:

- Restoring of the economy;
An economic stimulus is needed. The surrounding islands (St. Kitts, Antigua, Tortola) are 'eating our cake'. This was happening before the hurricane. Irma has just exacerbated the situation. Foreign investors are being encouraged to invest or to move overseas. Politicians must realize that in chaos unscrupulous (corrupt) investors are attracted, which is ultimately bad for the country. Sint Maarten has always had an informal economy, but this has now exploded. The lack of rules make the economy flourish, however in a disaster this causes (more) chaos;
- Tourism marketing Plan;
- (Soft) loans for businesses;
- Government must be a facilitator to business (not an obstructor);
More cooperation is necessary between ministries. Establishing of businesses is too cumbersome. Little communication between Tax Office and Receivers.
- Labor law reform (to improve business climate);
The present labor laws are not conducive for business and engenders unproductivity;
- Tax reform;

- Improve insurance regulations (legislation);
Due to the lack of regulations in the insurance sector citizens and businesses are in a weak position *vis a vis* the insurance companies, resulting in frustration, court cases and insufficient representation of their rights to fast and fair settlements.

Environment:

- Removing of dump (waste management);
- Sewage management;
- Creation of separate Ministry for the Environment (Economic Commission for Latin America and the Caribbean (ECLAC) report);
- Implementation and enforcement of environmental legislation.

Reconstruction & Infrastructure:

- Proper utilization of Dutch reconstruction funds (€550 million);
- Reconstruction of homes;
- Infrastructure improvement;
- Implementation and enforcement of zoning laws;
- Development plan for reconstruction.

Social care:

- Affordable housing;
- Establishing of 'Social Protection Floor' ;
Nationally defined sets of basic social security guarantees that should ensure, as a minimum that, over the life cycle, all in need have access to essential health care and to basic income security which together secure effective access to goods and services defined as necessary at the national level (ILO).

Healthcare:

- Healthcare improvement.

Disaster management:

- Improve Disaster management.

Education:

- USM accreditation (law on tertiary education).

Youth:

- Youth projects (Performing arts center).

Justice:

- Combatting of Crime.

Suggestions for stability in Government:

- Electoral reform;
A government should only be formed by factions / parties and not individuals (ship jumpers). An individual MP should only be allowed to form a government if he/ she earned enough votes individually for his/ her seat.
- Without electoral reform, continue with the calling of snap (early) elections after the fall of government. This will make MP's reconsider ship jumping as the electorate might not vote for them again;
- Forming of a government should be according to the following procedure:
 - Government formation;
 - Governing program;
 - Execution of governing program.
- Establish long term vision for the country;
- Judicial process should be swifter;
Criminal cases take too long. Creating the impression that officials are left in uncertainty / limbo for extended periods;
- Consider having the Governor take part in the COM, as in done in British Overseas Territories (see article in NJB 2014, 1840).

How to guarantee Parliamentary stability:

- Hold ship jumpers accountable: keep demanding specific reasons for fellow MP's jumping ship;
- Establish a clear governing program with measurable objectives and goals before forming a government;
- Establish code of ethics for MP's;
- Knowledgeable MP's will deter others to become candidates;
- Raising the level of debates in Parliament;
- Political parties should be built on a certain philosophy / ideology;
- Parliament is a full-time job, otherwise no full-time pay (no work, no pay);
- Being a MP is not a traineeship (capable/ responsible representatives);
- Code of ethics for elected officials (moral values);
- Change to the Rules of Order for Parliament: ship jumpers should not receive additional benefits. These should be exclusively for factions (staff etc.).

Expectations from Parliament

- Do their job (legislate and supervise). Function like a Parliament, and not like an Island Council. Many Parliamentarians lack seriousness, fundamental preparedness and hence cannot effectively execute their duties.
- Parliament should be 'of the people, by the people and for the people'.

- No party politics. Respect opposing views. Parliament must work in the best interest of the country and serve the people.
- Improve the functioning of Parliamentary committees.
- Adding legislative lawyers to the staff of Parliament.
- Reduction of MP salaries.
- Utilize the expertise of the HCOS.
- Have an adequate budget and spend this to pay professional advisers.
- Commitment to the declaration of eradication of poverty on Sint Maarten.
- Low expectations. Many youths think negatively of politics. They consider it a joke. Particularly the behavior of MP's. Many are pessimistic about the future of their country and don't want to return home after studying.

3) State of Affairs Reconstruction Fund

3/12/2018

Gmail - FW: Stand van zaken wederopbouw



Informatuur Sxm <informatuoursxm@gmail.com>

FW: Stand van zaken wederopbouw

1 message

Coppelmans - de Vries, Mirto

To: "informatuoursxm@gmail.com"

Cc: "Leijtens, Hans"

Chris Johnson

"Stelt, Hans van der"

Thu, Mar 8, 2018 at 11:38 AM

"School, Nico"

Goedte heer Beaujon en mevrouw Arduin,

Conform de gisteren gemaakte afspraak, stuur ik u namens Hans Leijtens onderstaand de stand van zaken wederopbouw.

Mocht u daarover of naar aanleiding daarvan nog vragen hebben, kunt u vanzelfsprekend (via mij) contact met ons opnemen,

Met vriendelijke groet,
Mirto Coppelmans

Verzonden met BlackBerry Work
(www.blackberry.com)

Van: Mirto Coppelmans

Datum: donderdag 08 mrt, 2018 11:27 AM

Aan: Coppelmans - de Vries, Mirto

Onderwerp: Stand van zaken wederopbouw

Stand van zaken wederopbouw
8 maart 2018

Deze notitie geeft de stand van zaken weer van de samenwerking tussen Nederland, Sint Maarten en de Wereldbank. Aangezien dit op onderdelen nog onderwerp van gesprek is, kunnen hieraan geen rechten worden ontleend.

Nederland heeft 550 mln. gereserveerd voor de wederopbouw van Sint Maarten. Nederland beoogt met deze bijdrage de (materiële en immateriële) wederopbouw van Sint Maarten daar waar nodig te ondersteunen opdat de vitale infrastructuur wordt hersteld en de weerbaarheid van het land tegen de effecten van mogelijke (natuur)rampen duurzaam wordt vergroot.

De financiering van de wederopbouw krijgt, in lijn met bovenstaande doelstelling, vorm langs twee sporen: (1) de Wereldbank als hoofdspoor en (2) directe steun.

Nb. De wederopbouw staat los van de Nederlandse bijdrage in de noodhulpfase, waaraan ca 55 mln. euro is besteed.

1) Wereldbank

De Wereldbank is als onafhankelijk expert verzocht bij te dragen aan de wederopbouw door (i) ondersteuning te bieden bij het opstellen van het National Recovery and Resilience Plan (NRRP) en (ii) het beheer van een Trustfund waarlangs het merendeel van de Nederlandse middelen voor de wederopbouw beschikbaar komen. Deze beide opdrachten worden in separate overeenkomsten vastgelegd.

NRRP

De Wereldbank is reeds gestart met het ondersteunen bij het opstellen van het NRRP dat de routekaart voor de wederopbouw is. Daarnaast werkt de Wereldbank in deze fase aan het versterken van de instituties en capaciteit ter voorbereiding op de uitvoering van de wederopbouwprogramma's.

Trustfund

Het Trustfund zal naar verwachting medio april operationeel zijn. Op basis van het NRRP worden door Sint Maarten in samenwerking met de Wereldbank periodieke (in beginsel halfjaarlijkse) uitvoeringsprogramma's opgesteld. Deze worden

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voorgelegd aan het Steering Committee, waarin Nederland, Sint Maarten en de Wereldbank zitting hebben en dat op strategisch niveau sturing geeft aan het Trustfund. Na akkoord van het Steering Committee kunnen projecten in uitvoering worden genomen,

Binnen het Trustfund wordt onderscheid gemaakt tussen recipient(s) executed en bank executed activiteiten.

- * Bij recipient executed activiteiten is de ontvanger van de Trustfund middelen verantwoordelijk voor de uitvoering, maar vindt die plaats onder supervisie van de Wereldbank. Daarmee wordt geborgd dat de uitvoering past binnen het doel en de kaders van het Trustfund en de procedures op een juiste wijze worden gevolgd. Naast de overheid van Sint Maarten als belangrijkste uitvoerder, bestaat (beperkt) de mogelijkheid voor andere organisaties (IO's en NGO's) om projecten uit te voeren met financiering uit het Trustfund.

- * Bij bank executed activiteiten is de Wereldbank zelf verantwoordelijk voor de uitvoering. Het betreft activiteiten waarvoor specifieke expertise benodigd is, bijvoorbeeld onderzoek, assessment en technische assistentie.

Veruit het grootste deel van de activiteiten zal recipient executed zijn.

2) Directe steun

Een beperkt deel van de middelen komt beschikbaar als directe steun, omdat voor deze activiteiten de hoofdroute via de Wereldbank niet mogelijk of gewenst is. Dit geldt voor de financiering van de Nederlandse voorwaarden - verstoring grensoezicht en integriteitskamer - voor een periode van twee jaar en bijvoorbeeld voor:

- * dossiers op het terrein van rechtshandhaving en veiligheid voor zover die voortkomen uit, dan wel als basis dienen voor een duurzame wederopbouw
- * technische assistentie vanuit Nederland, bijvoorbeeld op het terrein van wetgeving, overheidsfinanciën en rechtshandhaving.

Nb. Nederland heeft ter overbrugging tot het Trustfund operationeel is een aantal early recovery projecten gefund (7 mln. euro). Met deze projecten wordt direct voorzien in de (primaire) behoeften van de burgers.

Liquiditeitssteun

Een bijzondere vorm van (directe) steun is liquiditeitssteun, waarbij onderscheid wordt gemaakt tussen 2017 en de volgende jaren.

- * 2017: Nederland heeft Sint Maarten liquiditeitssteun (ca 30 mln. euro) geboden voor het tekort dat in 2017 ontstond als gevolg van toename van kosten en afname van ontvangsten.
- * 2018 e.v.: Nederland heeft nog geen besluit genomen over eventuele aanvullende liquiditeitssteun en of die alsdan gefinancierd moet worden uit de wederopbouwmiddelen.

Een dergelijk besluit kan sowieso pas in overweging worden genomen, wanneer meer inzicht bestaat in de begroting en liquiditeitsbehoefte. Sint Maarten dient daartoe een (ontwerp)begroting op te stellen. Het College financieel toezicht heeft hierbij een adviserende rol, zowel naar de regering van Sint Maarten als naar de Rijksministerraad.

In het duurzaam op orde krijgen van de overheidsfinanciën wordt gebruik gemaakt van de expertise van het IMF. Die hebben aangeboden om de reguliere periodieke analyse van het macro-economische en fiscaal framework qua inhoud en frequentie te intensiveren en daaraan tevens (beperkt) technische assistentie te verlenen. Sint Maarten heeft aangegeven hiervan gebruik te willen maken.

Nb. Voor intensieve(re) en meer structurele technische assistentie vanuit het IMF is lidmaatschap van CARTAC vereist. Het lidmaatschap kost \$ 150.000 per jaar.

Actieoverzicht

- * De intentie tot samenwerking met de Wereldbank is vastgelegd met de intentieverklaringen van Nederland en Sint Maarten (getekend op 21 dec resp 19 januari jl.)
- * De opdracht voor de ondersteuning bij het NRRP wordt vastgelegd in een Reimbursable Advisory Services (RAS) agreement tussen Nederland en Wereldbank en een daarvan afgeleid agreement over de inzet van Sint Maarten tussen Sint Maarten en Wereldbank. Deze overeenkomsten zijn inhoudelijk en juridisch akkoord en liggen voor ter politieke besluitvorming in Nederland, resp Sint Maarten. Nb. naar verluidt heeft COM op 6 maart ingestemd.
- * De oprichting en het beheer (doel, scope, tranches, governance e.d.) van het Trustfund worden vastgelegd in een Administration Arrangement (AA) tussen Nederland en de Wereldbank. Deze overeenkomst wordt momenteel opgesteld door de Wereldbank met input van Nederland en zal op korte termijn worden gedeeld met Sint Maarten. Ondertekening van de overeenkomst is voorzien medio april.
- * Voor de uitvoering van het wederopbouwprogramma met financiering uit het Trustfund sluit de Wereldbank een of meerdere Grant Agreements met de uitvoerder(s) af. Deze overeenkomsten worden opgesteld door de Wereldbank in aansluiting op de uitvoeringsprogramma's waarover het steering committee periodiek besluit.
- * De Art IV consultatie is een reguliere activiteit van het IMF voor de lidlanden (Koninkrijk der Nederlanden is lid).

3/12/2018

Gmail - FW: Stand van zaken wederopbouw

Sint Maarten heeft de aanvraag voor additionele technische assistentie gedaan en hiervoor heeft Nederland de vereiste toestemming gegeven.

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