

The Hague, December 11, 2023.

Dear members of the Kingdom Relations Committee of the TK (whether or not d.t.v. the Registrar),

First of all, congratulations to all of you on your membership in the House of Representatives. As well as on membership in the Kingdom Relations Committee. As you undoubtedly know, the Kingdom consists of four countries and three (special) municipalities in the country of the Netherlands. Letters of mine focus mainly on these three special municipalities (public entities). To call a spade a spade: the country of the Netherlands consists of a European part, well known to us, in addition to the Caribbean Netherlands. The Caribbean Netherlands includes the public entities of Bonaire, St. Eustatius and Saba (the BES Islands).

Since the constitutional "revision" of the Kingdom (10-10-10: Oct. 10, 2010), the policy of "*legislative restraint*" has been followed. In 2019, this policy has given way to "*comply or explain*", which means as much that the national (Dutch) legislation is applicable throughout the Netherlands (i.e. in both the European Netherlands and the Caribbean Netherlands), unless you can properly explain why it should be different in the two Netherlands. Ground for this (limited) two-track policy is Article 132a (especially paragraph 4) of the Constitution.

Be that as it may, "we" have mainly been busy in recent years making the Caribbean Dutchman a second-class Dutchman (examples: different (lesser) AOW, lack of unemployment benefits and the worrisome situation in the health care and hospital on St. Eustatius).

As noted, the Caribbean Netherlands has three municipalities with a total of (less than) thirty thousand inhabitants (Dutch). In terms of size, therefore, comparable to a small municipality in the European Netherlands.

In the first meeting of the Commission (in its new composition) with a caretaker government, it is not my intention to immediately bring up points of discussion, but I would like to bring a good starting point to your attention (in the hope that continuing discussions of this Commission will give this starting point high priority).

The premise may sound somewhat obvious but day-to-day reality proves to be obstinate. It is basically very simple *we are all Dutch and all enjoy the same legal infrastructure, unless....* Your challenge, when drafting laws and regulations, is to limit this unless component to only the *special circumstances that make these public entities essentially different from the European part of the Netherlands* (the text in italics is taken verbatim from the aforementioned article of the Constitution).

As an aside, I lived and worked in St. Eustatius for eight years (2014-2022). If (any of you) have room to accommodate another part-time assistant I can take work off your hands in this (to many of you perhaps unfamiliar) portfolio, I am happy to be available. I look forward to hearing from you.

Kind regards,

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cc: National Ombudsman, members Comm. KR Senate