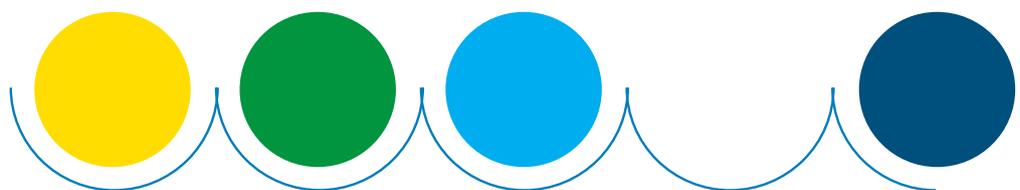


JOINED TOGETHER FOR FIVE YEARS

**BONAIRE, SINT EUSTATIUS, SABA
AND THE EUROPEAN NETHERLANDS**

CONCLUSIONS



Evaluation Caribbean Netherlands

Preface

On 10 October 2010, Bonaire, Sint Eustatius and Saba each became a public entitie within the Kingdom of the Netherlands. In the run-up to this transition, it was agreed to evaluate the results of the new political structure after five years. Expectations were high at the start of the political change. Various objectives have been achieved in these past five years. The levels of health care and education have improved significantly. But there is a lot that is still disappointing. Not all expectations people had on 10 October 2010 have been met.

The 'Committee for the evaluation of the constitutional structure of the Caribbean Netherlands' is aware that people have different expectations of the evaluation. There is some level of scepticism. Some people assume that the results of the evaluation will lead to yet another report, which will not have a considerable contribution to the, in their eyes, necessary change. Other people's expectations of the evaluation are high and they expect the results of the evaluation to lead to a new moment or a relaunch for further agreements that will mark the beginning of necessary changes. In any case, five years is too short a period to be able to give a final assessment of the new political structure. However, five years is an opportune period of time to be able to take stock of the situation and identify successes and elements that need improving. Add to this the fact that the results of the evaluation have been repeatedly identified as the cause for making new agreements.

Government officials and civil servants on both sides of the pond have put in a lot of effort to make the new structure a political success. They have succeeded in some respects. But the relations have been tested in the past five years, too. And that has put a strain on the mutual trust. The committee is aware that there is mutual disappointment about the absence of sufficient results. The committee has attempted to give a fair and balanced report of the situation. Drawing harsh conclusions has sometimes proven to be inevitable. But in every instance, the committee has done so in its conviction that identifying elements that need to be improved is first and foremost an incentive to draw lessons from the evaluation. Learning from the developments of the past five years has been necessary, not to point fingers at things that have gone awry but mainly to look ahead and make agreements for the future. The committee would like the results of the evaluation to form the basis for an impulse to bring the original objectives of the constitutional change within reach in the coming years. This requires the administrators that commissioned the evaluation, jointly and in cooperation with the inhabitants of Bonaire, Sint Eustatius and Saba, to continue to work on trust-inspiring measures.

The committee wishes to thank all inhabitants and administrators of Bonaire, Sint Eustatius and Saba for their cooperation with the researches that were conducted within the context of the evaluation. The committee appreciates all conversations it has conducted on the islands during the open-office hours or in the streets and would like to thank one and all who made the effort to leave comments on the website or has supplied written information. The committee also appreciates the conversations it has conducted in the European part of the Netherlands. All information has helped the committee with drawing up this evaluation report.

Finally, the committee wishes to thank all experts who have made their time, knowledge and skills available to carry out or monitor the researches. Our gratitude also goes out to the committee's secretariat, especially to Dirk-Jan Bonnet and Manon van Tintelen. The committee would not have been able to carry out its work without their support.

Liesbeth Spies (Chair)

Fred Soons

Glenn Thodé

Luc Verhey

Frans Weekers

Introduction

Evaluation assignment

In the Final Declaration of the Mini Conference on the new administrative position of Bonaire, Sint Eustatius and Saba of 11 November 2006 it was established that the Netherlands, in collaboration with the three islands, would carry out an evaluation of the results of this new administrative structure five years after the transition.¹ Specific evaluation provisions have been incorporated in the Public Entities Bonaire, Sint Eustatius and Saba (Public Entities) Act and the Public Entities Bonaire, Sint Eustatius and Saba (FinBES) Act. The purpose of the evaluation is to analyse the manner in which the agreements have been implemented in the run-up to 10 October 2010 and beyond. In order to implement the agreements made, the Commissioners of Constitutional Affairs of Bonaire, Sint Eustatius and Saba and the Minister of the Interior and Kingdom Relations adopted the evaluation assignment on 19 June 2014. They also agreed to institute an independent committee to conduct the evaluation (Appendix 1).² The 'Committee for the evaluation of the constitutional structure of the Caribbean Netherlands' (hereinafter: the committee) was subsequently established by order of the Minister of the Interior and Kingdom Relations of 23 September 2014, in agreement with the executive councils of the public entities of Bonaire, Sint Eustatius and Saba (Appendix 2).³

The committee is composed of Ms *mr. drs.* J.W.E. Spies, also Chair, Mr *prof. mr.* A.H.A. Soons, Mr *mr. dr.* G.A.E. Thodé, Mr *prof. mr.* L.F.M. Verhey and Mr *mr. drs.* F.H.H. Weekers. The committee is assisted by a secretariat.

According to the evaluation assignment, the evaluation assesses how the agreements have been implemented. The agreements and the chosen starting points are not a point of discussion in the evaluation. A debate on a potential change of the administrative relations is not part of the evaluation itself. The purpose of the evaluation is to establish what was achieved through a review. How have legislation and the administrative structure performed and what were the consequences of the transition for the population?

The evaluation assignment states that the evaluation's purpose is to collect as much factual information as possible about the manner in which the new administrative position of Bonaire, Sint Eustatius and Saba has been implemented. The committee will formulate its conclusions in the evaluation report. In accordance with the assignment, the report will not contain recommendations, but rather serve as a basis for the balanced decision-making process regarding the implementation of the agreements and any changes that must take place after the evaluation.

Concurrent with the evaluation for the Caribbean part of the Netherlands, the judicial Joint Court of Justice Kingdom, Public Prosecutors, police and Law Enforcement Council Kingdom Acts were evaluated. The effects of these acts in the Caribbean part of the Netherlands have been considered by the evaluation committee for these Acts and are not part of the evaluation of the results of the new administrative structure for the Caribbean part of the Netherlands. In addition to the judicial Kingdom Acts, the Financial Supervision Kingdom Act was also evaluated. This particular Kingdom Act only pertains to Curaçao and Sint Maarten.

¹ Final Declaration of the Mini Conference on the new political position of Bonaire, Sint Eustatius and Saba, 10 and 11 October 2006, included as an appendix to the letter of the Minister of Governmental Reform and Kingdom Relations dated 13 October 2006, Parliamentary Papers II 2006/07, 30800 IV, no. 5.

² Appendix to Parliamentary Papers II 2013-2014, 33750-IV, no. 45.

³ Order of the Minister of the Interior and Kingdom Relations of 23 September 2014, no. 2014-0000508186, pertaining to the establishment of the Committee for evaluation of the constitutional structure of the Caribbean Netherlands.

Limitations to the evaluation

Before delving into the findings of the evaluations, the committee would like to point out that the evaluation has had some limitations.

The evaluation of the results of the new administrative structure in the Caribbean part of the Netherlands covers a five-year period. In the period from 10 October 2010 onward, much work was done and the first tangible results of the policy pursued by the public entities and the central government became visible. Processing and adjusting to the transition is still in full swing as is the implementation of the, recently amended, initiated policy. To that extent, the evaluation is a snapshot of an ongoing transition process. A final judgement whether or not the implementation has been successful requires an evaluation period longer than five years.

The evaluation assignment forms the basis of the committee's evaluation. Based on the parameters of the assignment dictating the scope of the evaluation and the limited period, the committee had to make choices with respect to the subjects as well as the depth of the evaluation. For instance, the assignment did not require a complete evaluation of all legislation and regulations that have entered into force from 10 October 2010, but rather a general analysis as well as an in-depth examination of a few acts. In accordance with the assignment, the committee made a further selection of the legislation and regulations across the most important policy areas. Although this means that the evaluation does not provide an exhaustive picture, the committee believes that the picture presented is sufficient to draw conclusions.

A baseline measurement was not performed in most of the (priority) policy areas prior to the transition. This complicated the evaluation of the agreed policy objectives and its results, particularly the development of the standard of services and provisions since 10 October 2010. Moreover, under the former Netherlands Antilles data collection about general information pertaining to policy and legislation and statistical information about Bonaire, Sint Eustatius and Saba was flawed. The islands lack a tradition of systematic data collection such as is in place in the European part of the Netherlands. Statistics Netherlands (CBS) has been trying to catch up since the transition, but hard statistical data are generally still lacking. Much of the information for the evaluation was acquired through the various actors who each have their own perception and interpretation of reality. This therefore concerns qualitative information. The absence of sufficient quantitative information and a proper baseline measurement is a fact of life the committee dealt with to the best of its abilities.

The committee also would like to point out that the administrative change took place in a period that saw developments in many other areas. This includes the global economic and financial crisis, which has had a great impact on entrepreneurs and inhabitants. These are external and hardly manageable circumstances that cannot be ascribed to the new administrative structure. The committee has taken all of the aforementioned limitations into consideration, while attempting to present a picture that is as objective and accurate as possible.

Final conclusions

Mixed picture

In retrospect, the transition of 10 October 2010 was sizeable and complex. For the islands, the transition from an Antillean to a European part of the Netherlands administration was a major event in many respects. It should also be taken into account that the transition was implemented in a very short period of time. In view of the time constraints prior to the transition and the then prevailing political momentum, this appears to have been inevitable. It was therefore also unavoidable that the inhabitants sometimes had difficulty coming to grips with the changes and that they did not have much influence on the process. The European part of the Netherlands, in turn, had not properly anticipated the consequences of the decisions taken at the start of the preparations for the transition; this was and still is very much an adjustment process.

After the dissolution of the Netherlands Antilles as a level of government, two worlds collided, each with their own context. Bonaire, Sint Eustatius and Saba are small, also from an administrative perspective, vulnerable and isolated communities which are geared towards dealing with everyday problems. The new administrative structure and its implementation were given shape prior to 2010 with a great level of autonomy, under the federal system of the Netherlands Antilles. Meanwhile some 8,000 kilometres away in The Hague, the Netherlands has been formulating regulations and policy since 2010 and has been taking decisions that impact the everyday lives of the people of Bonaire, Sint Eustatius and Saba. The context from which the European part of the Netherlands operates is different: within a broad European context, with ministries for general policy and enforcing regulations with, generally, little knowledge of the local circumstances in the Caribbean, and reasoning from the decentralised unitary state in which the autonomy of the decentral administration can be limited relatively easily. Two different cultures and contexts, one in which ideas and decisions are given shape, the other in which these ideas and decisions result in consequences.

Many people, all from their own context and with good intentions, have made considerable efforts to turn the transition into a success. The European part of the Netherlands has made considerable financial and personnel investments in the islands. The results of these investments reveal a mixed picture. In some areas, they have resulted in clearly positive results, first and foremost in health care and education, but progress was also made in certain other areas. It is also worth noting that numerous small-scale initiatives and projects have been given shape, partly thanks to the efforts of the local communities. Unfortunately, these positive developments are eclipsed by a widely felt disappointment on the islands, which has consistently increased since 2010. That is largely attributable to the level of prosperity: since 2010 the standard of living has fallen for many people, including those with a job. Concerns over primary necessities of life, particularly for the vulnerable groups in society, dominate the situation.

This deterioration is due to several causes, most of which do not have a demonstrable causal link with the transition. Poverty and social issues already existed before the transition. Moreover, the global financial crisis has also had a negative impact on the islands. Nevertheless, there are strong indications that the transition and particularly the introduction of certain laws (including tax laws) have not had the intended positive influence on the economic development of the islands, and therefore did not contribute to the inhabitants' level of prosperity. From different sides (including the local business community) we have heard reports that the situation is quite the opposite. This concerns more than just the effect of legislation; a stable, predictable and properly functioning government, local or otherwise, is of major importance for the investment climate and level of prosperity, the latter of which leaves a lot to be desired.

The economies of Bonaire, Sint Eustatius and Saba are small-scale and vulnerable due to their dependence on the limited number of sectors. Not only is it important to retain and reinforce these sectors, but also utilise options for diversification, for instance by intensifying agriculture and horticulture. The Caribbean Netherlands' new tax system was also intended to stimulate economic development. Although the influence of the new tax system on the economic development of Bonaire, Sint Eustatius and Saba cannot be quantified, this objective appears not to have been achieved. Furthermore, the operation of market forces leaves a lot to be desired. This raises the question of which options there are to really stimulate entrepreneurship, market forces, investments and economic growth in an all-inclusive approach.

High expectations

The disappointment that is felt across the islands is intensified by the fact that expectations were high in 2010. In the run-up to the transition, people on the islands hoped for noticeable improvements in local administration, but also the position of the islands compared to the position of the Netherlands Antilles. Before 2010, regulations and policy were formulated mainly under the leadership of the islands with the biggest populations, namely Curaçao and Sint Maarten. In those days, the interests of Bonaire, Sint Eustatius and Saba were hardly recognisable, leaving these islands to feel alienated from the rest of the Netherlands Antilles. People in 2010 expected to have a better economic outlook with the direct ties with the Netherlands, which has a better functioning government apparatus. However, the reality is that a section of the population has done worse economically since 2010.

The fact that the results have been lagging behind the expectations was influenced by the vagueness of the agreements made prior to 2010. On the one hand, the Netherlands and on the other hand the islands had a widely differing interpretation of the agreements made. One of the main examples of this related to the agreement that the provision of wealth and health care would be elevated 'to a standard of services and provisions that is acceptable within the NL'. From the onset, the Netherlands and the islands held different opinions on the interpretation of this agreement, with the result that not all services and provisions (especially social provisions) have been made concrete while living standards have been falling.

The Council of State of the Kingdom made the following comments on the standard of services and provisions in its communication of 29 August 2008: 'It is of great import to the insight into and the social acceptance of the involvement in the transition process that a clear picture is painted, jointly and in the short term, of what the desired standard of services and provisions on Bonaire, Sint Eustatius and Saba should be like. (...) It will undoubtedly also contribute towards enhancing mutual trust and coordination for the future.' And: 'The desired standard of provisions should not be formulated with abstract words, but directly geared towards actual practice. In the end, it revolves around issues such as: What will the hospital on Bonaire look like in five years' time? Will the monuments on Sint Eustatius be sufficiently protected? How will schools on Saba function? Added to this is the fact that policy formulated on a macro level in the Netherlands does not automatically fit the specific problems on a micro level on each of the three islands.⁴In view of the above, this consideration is still highly relevant today.

The ambiguity of the agreements made also extends to the political constellation. In the first place, this concerns the final model agreed for the islands. In the Final Declaration of 2006, it was agreed that the islands would be incorporated in the Dutch political system each as a public entity. It was also agreed that at the start of the new constellation, the old Antillean legislation would remain in force and be gradually replaced by Dutch legislation, with the possibility for deviating provisions. In the period leading up to the transition in 2010, it was already clear that this agreement on gradual integration was

⁴ Appendix to Parliamentary Papers II 2007/08, 31568, no. 2.

being interpreted differently. This particularly applied to the difference in opinion about the extent to which efforts should be geared towards introducing Dutch legislation and to what extent deviations from the Dutch legislation were needed due to special circumstances on the islands. It also became clear that there were differences in opinion on the term within which a further integration should be realised.

Finally, in conjunction with the administrative constellation, there were different opinions about the concrete implementation of the administrative model, particularly about what a 'public entity' is or should be. Both in the Netherlands and on the islands there are different opinions about and interpretations of this issue. In any case, the result is that the islands have become less autonomous, compared to within the setting of the Netherlands Antilles, and that the policy in many areas is determined from a greater distance and with ostensibly less influence for the islands than before 2010. No one appears to have anticipated or intended this result at the start of the transition.

Perceived arbitrariness

The perception of poor results is intensified by the feeling that many new legislations have been introduced on the islands from the European part of the Netherlands. A much-heard complaint is that no distinction is made between the islands and the European part of the Netherlands when it comes to strict regulations and their enforcement. At the same time, the European part of the Netherlands tends to make a comparison with the Caribbean region to justify the lower wealth and health care levels on the islands compared to the European Netherlands. The islands' populations often have a hard time understanding this difference.

Despite the agreement that the then prevalent (old) Netherlands Antillean legislation would in principle be continued, many aspects in legislation relevant to the islands have been changed since 2010. This was a major largely unavoidable legislation operation, in which many parties made huge efforts. They worked towards converting Netherlands Antillean legislation into the Dutch legislation and transferring competences to the European part of the Netherlands and island bodies. In a number of cases, policy considerations led to the replacement of old legislation with entirely new legislation, mainly based on the Dutch legislation. Moreover, many things have changed in both implementation and enforcement, precisely in those areas that have a direct impact on people's daily lives. One example is tax legislation. More so than in the past, tax is consistently and uniformly collected. Dutch inspections have also contributed to the improved and more consistent enforcement. Steering clear of ambiguity in government actions eventually proves to be vital for its acceptance. From this viewpoint, the islands have a great deal of gratefulness for the new methods.

However, people on the islands often feel there is some level of arbitrariness when it comes to how the European part of the Netherlands handles the application of the equality principle. Article 1 paragraph 2 of the Kingdom Charter contains justifications for a differentiation between the European part of the Netherlands and the Caribbean Netherlands. The substantiation whether or not to make a distinction between the European part of the Netherlands and the islands and between the islands in legislation was inconsistent and faulty, especially in the beginning. The central government failed to put in place a uniform approach or sufficient monitoring process in this area, which are possibly still lacking today. Whereas this was possibly unavoidable in the run-up to the transition also owing to time constraints, the experienced arbitrariness on the islands is certainly understandable. Arbitrariness is particularly experienced in the social domain. It is difficult to fathom that factors such as climate and geographical circumstances - circumstances which the Kingdom Charter claims could lead to differences - are a justification for the current reality that the living standard of a relatively large group of inhabitants is lagging far behind what is deemed acceptable in the European part of the Netherlands. At the same time, there is a sense that the Netherlands takes insufficient account of the local circumstances and the differences between the European part of the Netherlands and the three

islands, also among each other, in legislation and implementation in other cases as well. It appears that the European part of the Netherlands has some aversion or reluctance in those instances to create an exception for such as small section of the Netherlands, even when confronted with sound arguments to do just that. There is a clear urge for standardisation in certain areas.

Dissatisfaction and unrest

The islands were insufficiently consulted about intended legislation and policy, particularly in the beginning. This was probably inevitable in the run-up to the transition. Nevertheless, the differences in approach and method between the ministries is sometimes difficult to explain. However, there has been some progress in other areas. The islands are now involved and consulted more in the initial phases of drawing up legislation post-transition. But it is not always clear what happens to the results of the consultation and how the comments of the islands are incorporated. Despite the gradually increasing involvement, the general perception remains lagging behind the earlier expectations. There appears to be a consensus that the decision to turn the island into public entities to express the direct ties with the Netherlands is a repetition of the experiences pre-2010, when the islands at least had some level of proximity to the central administration. This results in the experience that people feel ruled over from afar by people who more often than not do not make an effort to see and hear what inhabitants of the islands experience. Many people on the island do not see any improvement on the situation that was in place when they were still part of the Netherlands Antilles, despite the substantial improvements made in the areas of health care and education. This threatens to a diminishing or even loss of support for the new political relationship. Dissatisfaction with the government and a call for more autonomy appear to be increasing.

This dissatisfaction extends to more entities than just the central government. Although there are differences between the islands, these feelings appear to be expressly directed at the functioning of the islands' governments. Citizens and social organisations on the islands only feel marginally involved in the formulation of policy and legislation. This extends to both the policy of the islands' governments and the government in the Netherlands. A diminished sense of involvement is also reinforced by a lack of proper communication and public accountability. There has been little objective reporting and information about the government decisions prepared or taken. A lack of adequate and visible information geared towards the local situation and accountability also leads to a distortion of perceptions and facts.

Feelings of discontent are also felt in the European part of the Netherlands. Many parties there are also uncomfortable with the situation and are annoyed with the administrative culture on the islands. The Netherlands has since acknowledged that the policy needs to be adjusted. This is mainly apparent from the recently launched multi-annual plan for the islands which focused on economic development and poverty reduction. Despite all comments that could be made about this plan - part of which consists of an enumeration of independent, already existing initiatives - this is a step in the right direction. There have been some positive experiences with integral projects, in which the islands, supported by the European part of the Netherlands, have achieved results that are small-scale and fit in with the local circumstances, for instance in the area of finding employment. The connection with the local context and an integrated small-scale approach appear to have had the right result in these cases.

Two worlds

The Netherlands has made substantial investments in public administration. Partially thanks to the efforts of the Rijksdienst CN (RCN) and the individual ministries, positive results have clearly been achieved in certain subareas. The overall picture, however, is less positive. From an administrative perspective, this can be attributed to the fragmented and sometimes contradictory approach of the European Netherlands. Each ministry has pursued its own policy and this pillarisation is expressed in

the implementation of the policy on the islands. Mutual coordination is often still lacking, despite the fact that the executive services and departmental liaisons have been joined in the Rijksdienst CN (RCN), physically and partially organisationally, with a great concentration on Bonaire and despite the fact that many officials there are making tremendous efforts. This is particularly true for the social and economic domain. Actual management takes place from the separate ministries in The Hague and appears to depend on the insufficiently coordinated and not always durable efforts of individual civil servants.

There is no overall approach to speak of despite the fact that the nature of the problems and scale of islands call for such an approach. The fragmentation is difficult to handle for the islands because of their limited staffing capabilities. It takes a lot of meeting and consulting which means that a disproportionate administration load falls to the islands. An integral approach is further hampered by the fact that the Minister of the Interior and Kingdom Relations, based on a deliberate choice made at the time, does not have the authority which would allow him to control the Dutch policy, let alone enforce policy changes based on an integral vision. As a result, the position of the Government Representative is such that he is not in the position to make a difference when required.

On both sides of the pond, expectations and perceptions of the future administration arose in the run-up to the transition. In the European part of the Netherlands, the dominant idea appears to centre on the system of the decentralised unitary state, which is governed and administered such as in the Netherlands. In line with this idea the proven model of the Municipalities Act would lead to good results. Since three islands were included in this model, things would work out on their own. In the Caribbean part of the Netherlands, the prevalent idea was that after the transition the three islands would be able to count on at least the same level of autonomy as under the Netherlands Antilles. Moreover, being part of the greater Netherlands it would receive more support and assistance in developing the islands. In the European part of the Netherlands, this in turn led to the idea that the islands only pursued financing of all sorts of facilities without taking any responsibility for good administration and public service to its inhabitants.

Relations became more strained, particularly those between the European part of the Netherlands and Sint Eustatius and to a lesser extent Bonaire. Administrators now hold diametrically opposing views and the debate mainly centres on the division of tasks and authorities. The discourse focuses on autonomy, independence and a neocolonial attitude. The citizens, the inhabitants of the islands, do not benefit from this situation. In order to serve their interests, it is necessary to jointly develop concrete solutions which solve the problems that people encounter in their everyday lives. Not enough attention is paid to the question of how the joint future could be look like and how it could be achieved from the perspective of citizens. Because of this lack of mutual trust, people are less inclined to accept criticism on their actions or absence of actions. This is all the more concerning, as criticism, when viewed as an opportunity to improve matters, could improve mutual relations.

In light of the above, the disappointing results are also due to the major differences in language, culture and administration between the European part of the Netherlands and the islands. People find it hard to understand each other. Interests are also highly divergent; for the islands, the relationship with the Netherlands is of vital importance while this is certainly not the case for the Netherlands. In Dutch politics, the relationship with the islands is only of minor importance. The islands therefore find themselves in a relationship of dependence.

Vulnerable administration

Another major factor which has contributed to the disappointing results is the vulnerability of the local administration and the boards of social organisations such as schools. Given the small scale of the islands and the limited capability available, it has been proven to be difficult to ensure the long-term quality of administration and the associated administrative organisation. The situation is too dependent

on the efforts and quality of individuals. This is the reason why the administrative power strongly differs per island, and per administrative council.

In this context, there are limited options to create sufficient checks and balances on the islands. The options available to the Island Councils to provide a countervoice in practice prove to be limited. The introduction of the Dutch dualist model has not had the desired improvement. There are insufficient links between the representatives and the civil servants which, in conjunction with the faulty democratic control, has resulted in insufficient policy-making, leaving room for arbitrariness. The vulnerable position of the governor, who stands at the centre of the check and balances, is worrying. And the extra guarantees that come with the position of the Government Representative do not compensate the vulnerabilities of the local administration.

The performance of local administrations does not stand alone and should be viewed in the context of the circumstances in society as a whole. A relatively large section of the population have trouble surviving due to a complexity of problems, which includes a diminishing purchasing power, little or no education and difficult family situations. They feel dependent and have pinned their hopes on politicians, who promise them a brighter future. These circumstances are a breeding ground for clientism and a weakening of standards. Breaking out of that pattern is only possible if a people work towards a sustainable improvement of the economy and an improvement of living conditions. Good education is a key condition in this context. In the long run, it will make inhabitants more independent than now. An important side effect to good education is that inhabitants will demand that their politicians provide them with sound information and hold them accountable for their local policies.

The islands acknowledge the situation of limited administrative power, which already existed prior to 2010, but have thus far proven incapable of changing under their own steam. The Public Entities Bonaire, Sint Eustatius and Saba Act (WoIBES), which has made provisions for improving administration, has also proven insufficient to make any considerable changes. The Finances of Public Entities Bonaire, Sint Eustatius and Saba Act (FinBES) has brought some improvement to the management of public funds, albeit only partially and in different phases. The general perception is that Saba has the will to make changes and progress. Sint Eustatius appears to have an unstable administrative culture and a more solitary attitude. Bonaire is right in the middle, with a few exceptions. Polarisation is mainly visible on Sint Eustatius and Bonaire, which has impeded progress.

The legal framework is paramount for promoting good administration. However, the manner in which people give substance to their responsibilities and the instruments at their disposal in the end determines the result. The administrative practices and the quality of the administration are first and foremost determined by personal qualities and conduct, while the administrative culture only has a minor influence. There is still a lot of room for improvement in this area, and this can be achieved through education, support and collegial accountability. Achieving the necessary changes will not happen overnight. It will require huge efforts, patience and time.

The differences in deployment and quality of individuals also explain the differences in administrative power per island and per administrative council. The question is how to deal with these differences. In an ideal situation, there would be room for differentiation per island based on past proven performances. However, existing regulations appear to leave little room for doing so. The current budgetary restraints are rather limiting and do not leave room for personal accountability. The lack of options to deregulate and experiment with rule-free zones, where administrative performances permit, has limited options for harmonising administration with the features of each individual island. This leaves us with a straightjacket that constraints variation and creativity.

Room for improvement

The aforementioned circumstances combined have done nothing for reducing the problems on the islands. Such a reduction requires a widely supported analysis of and approach to the problems, which thus far have proven difficult to organise. There is no vision for the future, jointly shared and supported by the European part of the Netherlands and the islands. If this remains unchanged, the Dutch views will continue to dominate in many cases, with little attention to the local circumstances. This leads to unrest and disappointment among all parties, despite the most sincere intentions of the many parties involved. The islands feel they are not heard and acknowledged while the European part of the Netherlands views the weak administration on the islands as one of the reasons why the effectiveness of the measures taken sometimes does not fit with the major financial and human efforts put in by the Netherlands.

This raises the question how to proceed from here and which changes and possibly legislative amendments are required. Answering this question does not fall within the scope of the committee's assignment; it draws conclusions but does not make recommendations. Still, the committee would like to emphasise the importance of developing a perspective in the form of a concrete programme which should be drawn up by all parties together.

The current report is an initial evaluation. Five years is a short period of time; it is still too early to give a definitive judgement since the transition is still ongoing and the policy, some elements of which have only been implemented recently, has not been completed. There has to be some understanding of the difficult social and economic circumstances on the islands, where new policies have a slow and gradual impact, partly due to the small-scale nature of the islands. Moreover, it should be noted that not all problems are the result of the transition and that the transition has contributed to the solution of problems that existed before the transition. Be that as it may, there is still a lot of room for improvement. It is now up to the authorities that commissioned this evaluation to jointly take up this challenge, based on the results of this evaluation, and initiate the changes deemed necessary and ensure they are implemented. This requires administrative will to jump over own shadows to create room for self-development, taking personal responsibility and investing, also in mutual trust. Each of the islands will have to come up with an answer to the question of what they can do themselves, where they should do better and where they need help and support. In dialogue with the population, achieving a higher level of facilities and economic development together will be within reach.

