

Letter of 13 October 2017 from Minister of the Interior and Kingdom Relations Ronald Plasterk to the Government of St Maarten concerning the conditions relating to the Netherlands' contribution to St Maarten's reconstruction, with copies to the Governor of St Maarten, the Minister Plenipotentiary of St Maarten, the House of Representatives and the Senate

I have just had a telephone conversation with Mr Marlin about the Netherlands' willingness to contribute to St Maarten's recovery and about the conditions which the Netherlands deems essential in order to ensure that reconstruction proceeds in a sustainable manner.

During my visit to St Maarten on 2 and 3 October, I was deeply impressed by the islanders' resilience. I greatly admire the energy that many have invested in helping St Maarten rebuild: clearing streets and repairing schools and other buildings. During our telephone conversation Mr Marlin and I discussed the immense damage wrought by hurricane Irma. Over the past few weeks, the Netherlands, in cooperation with the other countries in our Kingdom, has been providing emergency assistance. I confirmed to Mr Marlin the Netherlands' wish to contribute to St Maarten's recovery in the period ahead. In addition to the emergency assistance already provided, the Netherlands is prepared to support your government and make financial resources available for sustainable reconstruction. If your government agrees to the following conditions, the Dutch government is prepared to make a substantial contribution to a new fund which will aim to ensure that the people of St Maarten have a bright future on the island.

As I previously discussed with your government, it is vital that the financial resources be used in a way that most benefits the people of St Maarten. This means, among other things, that projects must adhere to certain standards of integrity. With this in mind, the Dutch government has made the establishment of an Integrity Chamber one of its conditions.

In addition, well-functioning, orderly and uncompromised border controls are needed. In times of crisis and reconstruction, borders are particularly vulnerable.

I therefore ask that your government agree to the following conditions no later than 31 October 2017.

Integrity Chamber

The first condition is to establish an Integrity Chamber by way of a national ordinance. The aim of the chamber is to promote sound, transparent and reliable public administration. The

national ordinance should include a number of elements that have not been included in the current draft, but which were previously agreed on at government level. These include the involvement of the Council of Ministers for the Kingdom and the Dutch Cabinet in nominating the head of the chamber and one member. The chamber should also be authorised to issue binding recommendations, which can only be deviated from if there is a compelling reason to do so. Sufficient budget and staffing are also required. In order to prevent any unnecessary delays to reconstruction, it is vital that the ordinance be approved by your parliament and ratified by the governor no later than 31 October 2017.

Border controls

The Dutch government deems it vital for the quality of border controls on St Maarten to be substantially improved, since the Dutch government feels that St Maarten is currently unable to carry out border controls independently. The threat along the country's borders relates in particular to serious drugs- and firearms-related crime, migration-related crime, the illegal entry of foreign workers and uncontrolled flows of money and goods. Increasing border resilience is also of vital importance in light of the global terrorist threat. The Dutch government wishes to conclude a binding agreement, stating that border controls will be carried out by the Royal Military and Border Police (KMAR) and Dutch customs officials, under the formal responsibility of St Maarten's Minister of Justice. The agreement, which will also cover organisational matters, lines of accountability, and monitoring, will remain in place for a specific period. The strengthening of border controls as outlined above will help ensure the orderly and successful reconstruction of St Maarten.

Please inform me by 31 October 2017 at the latest whether your government agrees to enter into a binding agreement of this nature.

As I also mentioned during the telephone conversation, the Netherlands can only provide a financial contribution once these conditions have been met. I also expressed the hope of receiving a prompt, positive response, in the best interests of St Maarten's inhabitants. To speed up the process further, I will ask my staff to contact you regarding the finer points of the conditions as quickly as possible.