

# The Kingdom Of The Netherlands In The Caribbean. Repairing A Not So United Kingdom ~ Can It Be Done?



How come there are so many problems in the Kingdom of the Netherlands nowadays? Are there any options to change things for the better? Can the Kingdom be repaired? What should be considered? These are the questions that are dealt with in this paper.

## *Uneasiness with the Charter's anniversary; why celebrate?*

In anticipation of the 50th anniversary of *Het Statuut*<sup>[ii]</sup> some uneasiness has surfaced, both in the Netherlands as well as overseas, about how this occasion should be marked. Is it a time of celebration and, if so, how and what should we celebrate?<sup>[iii]</sup> Some authorities are concerned that the anniversary of *Het Statuut* could become a *testimonium paupertatis* of the operations of the Kingdom in the last 15 years, adding another obstacle into the problematic state of the Kingdom's Caribbean affairs. Others maintain that the Kingdom's Charter has served the Caribbean countries well.<sup>[iv]</sup> In the Dutch press, it is often reported that the Netherlands Antilles are a lost cause; a Caribbean democracy that has turned into a Dutch banana republic (sic) in the West Indies.<sup>[v]</sup> Over and again, irritation and frustration with the Antilles has been expressed in Dutch media.<sup>[vi]</sup>

But also the Governor of the Netherlands Antilles did not mince words when depicting (in April 2004) the crisis the Netherlands Antilles is experiencing: widespread and profound poverty, too many school dropouts with no prospects, a drugs trade that is increasingly derailing civil society, too many murders, muggings and burglaries and a frighteningly high crime rate.<sup>[vii]</sup> The number of homicides on Curaçao is staggering and 30 x higher than in the Netherlands.

Instead of a positive celebration, the Charter's anniversary could painfully highlight the instability of the Kingdom for the Caribbean countries and thus mortgage any attempt to redesign the relationships for years to come. There are several different accounts of why the state of the Kingdom is as it is. Here we explore some of these views.

### *How come there are so many problems nowadays?*

In recent years, social degradation, especially on Curaçao, high Antillean crime statistics in the Netherlands, an unbearable public debt, and outdated doctrines of autonomy and self-help (*zelfredzaamheid*) have cast a worrisome shadow over the operations of the Kingdom. Crimes, such as international money laundering and the drug-trade, have been gaining a foothold in places outside the control of the dominant formal powers. International terrorism can now be added to this list. The small island states are vulnerable to all of these opportunistic dangers as well as to environmental damage by international corporations. The drugs trade to satisfy consumer demand in Europe and the USA has pervaded Caribbean society. In 2001-2003, flights from Curaçao to Schiphol Airport, Amsterdam, were literally loaded with both traffickers and drugs.

Mismanagement and neglect of the welfare systems in the Netherlands Antilles have long driven strong migration to the Netherlands. Free migration is seen as a lifeline on the Caribbean islands, it is one of the Kingdom's most valuable assets. Yet this strong migration to an *overseas social paradise* has sharply driven up the Antillean share in the Netherlands' crime and unemployment statistics. So-called *Antillengemeenten* have sprung up, leading to calls in the Netherlands to close its borders to these migrants in future, or at least to Antilleans with a criminal record at home. The Dutch – Antillean relationship has become: 'sensitive, unequal and laborious'.**[viii]** There are various ways of interpreting this state of affairs in the Kingdom.

### *Was Kingdom's structure defective from the beginning?*

For some, the constitution of the Kingdom of the Netherlands was plainly wrong in assigning full responsibility for local government and administration to the Antillean authorities. The designers of the Charter purposefully limited the Kingdom's authority in the Antilles. The Charter was a landmark document concluding the colonial period. Suriname and the Netherlands Antilles would, as autonomous countries, take care of their own business; neither the Kingdom nor the Netherlands would have a say in local affairs such as government finance,

social and economic development, cultural affairs and education. From one point of view, the Charter's distribution of authority is the problem. Since the capacity of the Caribbean island authorities is manifestly limited, full responsibility for local government stretches beyond their command.

The founding fathers of the Charter defined the Kingdom essentially as a Kingdom-lite. A federal institution in which formal authority was limited mainly to foreign affairs, defence, and nationality and citizenship. In addition, the Charter stipulated areas of communal responsibilities, where the partners are required by statute to cooperate with one another (statutory cooperation). These communal areas are the rule of law, good governance, democracy and human rights. In these areas, the Caribbean countries have equal responsibility, but the Kingdom has the ultimate obligation of safeguarding the principles of good governance. Here the Kingdom's authority is confined to monitoring the performance of the island governments. In situations where the Caribbean countries do not live up to standards of good governance, the Kingdom has to act. However, deciding when this should be is easier said than done. As early as 1973, Cola Debrot, then Governor of the Antilles, warned of serious difficulties that would arise were the Dutch to decide there was reason to intervene in the areas of good governance, human rights and democracy in the Netherlands Antilles.**[ix]** On the part of the Antilles, such action would be considered an infringement of their autonomous arena.

Though *Het Statuut* specifies that the Kingdom must safeguard good governance, democracy and human rights in the Caribbean countries, the Dutch authorities have allegedly been slack in keeping up these standards.**[x]** Moreover, the whole question of Kingdom's safeguarding position is complicated by the logical *impossibility* of having responsibility for some standards of government without carrying responsibility for other, interrelated domestic affairs in the Antilles.**[xi]** According to this school of thought, the original concept of a Kingdomlite could not have recognized the implications of the restricted government capacity of the Caribbean nation-state in modern times. Now, fifty years later, some interpret the Charter's distribution of authority as a major obstacle in the Kingdom relations.

*Is the problem fragmentation and not having much in common?*

For others, a most important problem is the fragmentation of the Kingdom.**[xii]** They point to a lack of cultural, linguistic or institutional commonality among the countries in the Kingdom. What in fact do they have in common that still might

bind them together? What interests do they share? On a practical level, the Antillean interests can easily be defined in terms of entitlements to a Netherlands' passport and the unrestricted right of abode in the Netherlands. And more could be added. But what is the Netherlands' interest? Trying to answer this question has created awkward situations. At a Workshop on Sint Maarten, Denicio Brison raised the question *'Why are the Dutch still here, please explain?'* in his presentation: *'The Kingdom Charter: Fifty years in the wilderness'*. Brison had not found a satisfactory answer:

*I have never been able to figure out what exactly keeps Holland hanging on. The answer I have been able to distill from several Dutch authors is mostly a colonial hangover that they do not know how to cure.***[xiii]**

In another setting, in 2003, a former senior government official from the Netherlands Antilles urged the Netherlands to define its practical interest in retaining a presence in the Caribbean. In reply, a former minister for Kingdom Relations suggested that this question better not be raised in the first place, as it was doubtful that any convincing argument could be found. The communal icons of the Kingdom seem limited to the Dutch passport and Her Majesty the Queen and her family.

Since the Charter of 1954 was inaugurated, the Netherlands has not been very persuasive in promoting a sense of common purpose and identity that unites its disparate parts. Also in colonial days the Netherlands was not known for efforts to spread Dutch language or culture to its overseas colonies. The impact of Dutch culture during centuries of colonial rule in the Indonesian archipelago has been labeled as *'scratches on the rock'*.**[xiv]** The present disparity within the Kingdom could well be a long shadow of the past. According to Russell Shorto,

*(...) Dutch global expansion during its century of empire was built around not settlement colonies but outposts, which explains why, even though the empire extended as far as India, Taiwan, and Java, the Dutch language is not spread around the globe the way English is. The Dutch preferred to set up military trading posts as strategic spots (...) The trading companies did not see themselves in the business of establishing permanent colonies.***[xv]**

With regards to the Caribbean, the Kingdom's constitutional arrangement of 1954 was not envisioned to last forever. Some day, it was assumed, also the Caribbean

countries would ascend to independent statehood. Thus from the outset it was felt that a temporary arrangement had been installed, one that encouraged a *laissez faire* attitude. Cultural exchange and integration have been rather limited and communal expressions of unity are scarce. Even a sense of being *Nederlanders* is lacking in the Caribbean part of the Kingdom. For many Antilleans in the Caribbean, the Dutch language is a foreign language. In 2003, when announcing her first visit as Prime Minister of the Netherlands Antilles to the Netherlands, Myrna Louisa-Godett made it known that she would speak Papiamentu during this visit and be accompanied by interpreters to make her understood. This was not because she had not mastered the Dutch language, but to make a political statement about the language spoken on Curaçao. She would make an exception for her visit to the HM the Queen.

The Kingdom's institutions and procedures tend to divide rather than unite. The distribution of public authority in the Kingdom essentially demarcates autonomous governments rather than integrated statehood. Common public policy for all three countries of the Kingdom is limited. In reality, the Kingdom does not operate as a union. Fifty years ago the Kingdom was essentially designed as a rather loose federation of autonomous nation-states; nowadays the question is whether such a not so united Kingdom can *work* in modern times. Indeed, the Kingdom is so fragmented that it can hardly be considered as a complementary government organization that effectively provides for the Caribbean countries, however limited its purview.

### *Disagreement on changing the Kingdom's mission*

A third line of thought points to a fundamental lack of agreement on the house rules among the partners to explain the discord within the Kingdom relations. In the early 1990s a broad political consensus emerged that the Caribbean countries were better off to remain part of the Kingdom of the Netherlands. On the part of the Netherlands, considerations of safeguarding good governance in the Caribbean countries were paramount in changing the tides. However, when the reality of a Kingdom with partners in the Caribbean region became a permanent phenomenon, the Charter's original definition of limited authority and regulation was not reviewed. Running their own affairs had always been of principal interest in Antillean politics; autonomy was there to stay, also in a permanent relationship. At a conference titled *Future of the Kingdom*, the Netherlands attempted to reach agreement on changing rules and regulation in view of the Kingdom's

safeguarding role in the Caribbean region. Without success. Indeed, conference documents were literally torn up in the face of the Netherlands prime minister who led the Dutch delegation at that time.[xvi]

But on the part of the Netherlands, the winds had definitely changed. Unable to arrive at an agreement to change Kingdom's rules and regulation, The Hague applied its financial assistance to the Caribbean countries to get a foot in the door. With conditions of all sorts, the Netherlands intervened in a range of areas such as the Antillean government organization and the size of its civil service, the public debt and government finances, prison conditions, police operations and criminal investigation. The island government of Sint Maarten was put under *higher supervision*. A paradoxical situation surfaced. The emphasis on local autonomy had not resulted in a relaxed relationship with the Netherlands. On the contrary, it created a laborious and unwieldy partnership, so much so that around the turn of the century the Netherlands contracted international organizations the Antillean politics had to comply with. The IMF was hired to set conditions for additional budgetary support; the World Bank was assigned an economic study, and the OESO was contracted to evaluate the educational system of the Netherlands Antilles. This added fuel to the Antillean sentiment that the special relationship with the Netherlands had come to an end.

At the onset of a permanent status of the Caribbean countries in the Kingdom, the acclaimed system of development aid drove a wedge between the partners. In former years, an Antillean development policy, if any, had directed the Netherlands aid. For the Antilles, the Netherlands development aid budget was considered as *our money*. In 1987, the Netherlands and the Netherlands Antilles had formally agreed in a 'Protocol Development Cooperation' how to define and apportion the *development cooperation* budget.[xvii] A few years later, the whole concept of *development cooperation* came under scrutiny because of the level of the income per capita in the Caribbean countries. It was obvious that they did not categorize as underdeveloped countries nor did they qualify for development aid according to international rules. The vocabulary changed. Development cooperation became now hailed as *voluntary cooperation*. But more than only the vocabulary changed.

Now the nature and direction of the aid itself were measured in the Netherlands' politics. The obligation of the Kingdom to safeguard principles of *good governance* and democratic law in the overseas countries became a significant

rule of conduct with regard to the appropriation of the aid budget. Until 1989 *development cooperation* has been the backbone of the Kingdom relations. Since then *statutory cooperation* gradually gained in importance. The Netherlands' stance on priorities changed and under Dutch pressure *statutory cooperation* cut a substantial part of the budget. Although *statutory cooperation* qualified as voluntary engagement in agreement with the counterpart, it carried a stronger commitment on the part of the Netherlands. These changes were carried out under the regimen of the '*Protocol Development Cooperation*' of 1987. The Netherlands felt that an attempt to arrive at a new agreement with the Netherlands Antilles would not succeed. So it was not tried.

The Antilles objected that the Netherlands was abusing *our money* to pursue its own agenda. While before Antillean development needs were directing Dutch financial assistance, now the Netherlands interfered with good governance claims. A conflict as to who should set the priorities arose. Moreover, the feasibility of good governance priorities was disputed. Off the record could be heard that the Caribbean islands considered themselves too small, not ready, or culturally different to live up to international good governance standards such as: humanitarian prison conditions, administrative transparency, public hearings and ombudsman procedures, and gay marriage.**[xviii]** Good governance and development were not recognized as complementary categories. From an Antillean point of view, the Netherlands financial assistance to answer basic needs in the Caribbean countries now had to be shared with a rather trendy interest in good governance.

The makeover of a Kingdom-lite as a temporary development aid shelter in anticipation of future independence to a permanent structure of extended statehood of the Caribbean islands could not be agreed upon among the partners. Without agreement on changing the house rules of the Kingdom, the Netherlands' interventions to safeguard good governance in the Caribbean countries met strong opposition in both Antillean politics and media as well. The formal relationships soured but a majority of the Antillean populace sided with the Netherlands' interventions.**[xix]** The offended sensibility of Antillean politicians at being overruled by the Netherlands was not shared by their constituents. This, of course, put the Antillean public authorities in an even more awkward position in dealing with *the Dutch*.

*A split-level Kingdom*

Finally, the question has been raised how in modern times a split-level Kingdom with widely different government service levels can be morally justified and can, in more practical terms, keep the borders open between the Caribbean countries and the Netherlands. The rule of the Kingdom is limited and differentiates according to various government functions. However, the different functions are interrelated and therefore cut through any formal distinction made between Caribbean and Kingdom controls. In actual reality good governance is not limited just to the rule of law, democracy and human rights. Sub-standard education, high levels of youth unemployment, poverty, family dysfunction, housing conditions and neighbourhood slums, call for good governance as well.

The social disintegration of more and more neighbourhoods on the island of Curaçao is out of control, not only for the local government that is responsible for these worrisome affairs, but also for the Kingdom. There are no shortcuts to turn the situation around.**[xx]** According to its formal Charter, the Kingdom does not have authority to intervene in these areas. At the same time, the Kingdom cannot safeguard the rule of law when it does not adequately control a minimum level of social and economic development in the Caribbean countries.

Pourier, once prime-minister of the Netherlands Antilles, contrasted the enforcement of the rule of law in the creation of a Coast Guard ("Very appropriate") with the urgent need for funds to fight poverty: 'When more and more people sink below the poverty line, the trade and smuggling of drugs (to the Netherlands) becomes an attractive and devastating alternative'; devastating not only for the people concerned but also for the rule of law.**[xxi]** Hirsch Ballin, a former minister for Kingdom Relations, raised the question of whether or not the growing interdependencies in the modern world still allow for a distinction between internal Caribbean and Kingdom affairs.**[xxii]** The boundaries between the formally defined responsibilities of the Kingdom and the affairs under local Caribbean government control have become rather porous. However, a redefinition of authority and a distribution of responsibilities of the Kingdom has run counter to, first of all the Antillean insistence on being *autonomous* and secondly, political reservations in the Netherlands to putting up the money needed to narrow the gaps in the levels of service among the countries of the Kingdom.

The Kingdom's problems can be summarized in terms of failing safeguards and the ineffectiveness of voluntary cooperation. The Kingdom's safeguards and the

Netherlands' financial assistance have not been able to maintain an adequate level of good governance in the Caribbean countries. For some, the Kingdom's structure might have been defective from the very beginning, but now earnest deficiencies in its operations have become rather obvious. In reality, the Kingdom does not operate as a union, it is fragmented and does not have a common creed, language or culture. Time and again, a fundamental disagreement about the need to reset the Kingdom has marked the order of the day. In its operations the Kingdom is now bound to fail, not only with regard to the well-being of the *Nederlanders* in the Caribbean part of the Kingdom, but also in protecting the Netherlands' interests in Europe, especially in Netherlands' municipalities that have become known as *Antillengemeenten*. The Kingdom is in need of repair. Can it be done?

#### *New options for the Netherlands Antilles and the Kingdom (and Aruba)*

Over the last decades, the Netherlands has made only a few attempts to reset the formal house rules of the Kingdom; to no avail. But the urgency of repairing the Kingdom's operational problems has not diminished. On the other hand, several attempts have been made to repair the nation-state of the Netherlands Antilles, to 'make it work' [xxiii] again, after Aruba seceded and obtained a *status aparte* in 1986. Many reports on repairing the government structure of the Netherlands Antilles have seen the light, so many that any new endeavors are met with skepticism at best. The prevailing attitude is that *we have seen it all*. [xxiv]

However, recently two new options have been tabled, one with regards to the government structure of the Netherlands Antilles and the other regarding the relationship of the Caribbean islands with the European Union. The first option will bring the Netherlands Antillean nation-state to an end. The key to the solution of the problems of the Antillean nation-state is found in a tailor-made separate status for each island and a direct relationship with the Kingdom. The second option defines the Caribbean islands as Outermost Regions of the European Union. Once more, there are serious attempts being made to push the Kingdom over the threshold of a new era.

#### *Separate status and tailor-made relations*

An advisory committee on Governmental and Financial Relations of the Netherlands Antilles has come up with the proposal to abandon the Netherlands Antilles in exchange for each island having a separate status, tailor-made, and direct relations with the offices of the Kingdom. The committee's report is titled

*'The time is now, let's do it!'* It is known as the *Jesurun report*, after the chairman of the committee. **[xxv]** This committee was set up in a joint effort of the Netherlands and the Netherlands Antilles to advise on the wobbly government structure of the Antillean nation-state and its uncontrollable public finances. For the first time the financial and governmental problems of the Netherlands Antilles were recognized as a matter to be tackled by all parties, including the Netherlands, in a combined effort. Earlier on, the Netherlands had consistently kept the structural problems of the Antillean nation-state at arm's length. The problem was put in the rubric of Antillean autonomy and had thus to be solved by Antillean politics first. All along the Netherlands's position had been that the Kingdom should be engaged only after the Netherlands Antilles had made up their mind.

Now that the Netherlands had become part of the advisory structure, the *Jesurun* committee made the bold move to consider some re-structuring of the Kingdom as part of the solution of the problems of the Antillean nation-state. Aruba was initially left out, as it was no longer part and parcel of the complexities of the Netherlands Antilles. Once *Jesurun* had indicated that the Kingdom's structure was under consideration as well, Aruba did not wait long to make its displeasure known and became immediately defensive of its *status aparte*. Abandoning the Antillean nation-state and re-directing the Kingdom relations forms the core of the *Jesurun report*. The insular nature of Caribbean politics and society has rendered an Antillean nation-state unworkable. Each and every island should have its own statehood, in one or other way, to be complemented with extended statehood relations within the Kingdom of the Netherlands, also in one or other way. A separate status for each and every island; for Curaçao and Sint Maarten a much coveted status of each becoming a separate country (*Land*) and for Bonaire, Saba and Sint Eustatius, a status of Kingdom Island. Each island authority, be it a Land, a Kingdom Island, Crown Dependency or Royal Territory, you name it, will have direct relations with the offices of the Kingdom.

These extended statehood relations entail that some public affairs would be taken care of by the Kingdom, as of old: defense, foreign affairs etc. The administration of justice would be added to the Kingdom affairs. The Kingdom's safeguarding function would be expanded to include the public finances of the Caribbean authorities as well. Moreover, in order for the Kingdom to be able to hold the fort, the safeguarding function would be regulated and standardized. A monitoring

system would be devised and monitoring procedures followed.

There is much more in the '*Time is now*' report, and there is much more to say about it as well. Does it intend some form of *re-colonization* as some want the public to believe or is it an attempt to finally make the Kingdom work as a modern form of extended statehood of the Caribbean islands? Will this proposal end the seemingly never-ending trajectory of restructuring the Netherlands Antilles? Much work still has to be done to map out its implications. A definitive judgment at this stage is premature. On the basis of an agreement in principle, the redirection of the Kingdom relations will require a wide range of operational steps which should provide enough leeway for the parties to give and take as they go along. A disqualification of this option at this stage is impulsive, and suggests that other interests are at work.

#### *Outermost Region (of the European Union)*

At the same time, a changeover of the relationship of the Caribbean countries with the European Union is under consideration: from OCT/LGO (*Overseas Countries and Territories/Landen en Gebieden Overzee*) to Outermost Regions (*Ultra-Perifere Gebieden*). In 2003, the Netherlands government declared rather unexpectedly that it would work to have the status of the Antillean countries recognized as Outermost Regions of the European Union.**[xxvi]** Such a status would imply that European policy, rules and regulation would not only apply to the Netherlands but also to the Antillean public arena, though exemptions may be made in view of specific local conditions. A further integration in the European Union would affect the Antillean autonomy. Just like the Netherlands has ceded part of its public powers to the offices of the European Union, or Brussels, the Antillean public powers will then also be shared with *Brussels*.

*Brussels* is far away from the Caribbean region, though a little closer than *The Hague*. It is obvious that the initial mission and dynamics of European integration do not have any origin in the overseas territories of the European nations, whatever the status these territories have these days. After the 2nd World War, a – no more war – maxim originated on the European continent and advanced the ideals and European institutions that were the forerunners of the European Union. Economic development through open markets and a common currency have been added to advance European integration. Peripheral and Outermost Regions being integrated in the European Union, need another orthodoxy than the theorems that were essential in continental Europe.

Some question the advisability of the application of European rules and regulations to the world of the tiny Caribbean island states. Would this not be too much to ask for of the island governments? Are they able and do they want to live up to these higher standards and if so, who foots the bill? What would remain of the so very coveted Antillean autonomy? Would European regulation be a burden only to the Caribbean, or also an adequate protection of collective interests and individual rights? **[xxvii]** Other advantages are believed to be economic growth and a wide range of European subsidies. For the Netherlands the advantage may be that its custodian position in relation to the Caribbean authorities can be relinquished. Antillean postcolonial comportment will no longer have the offices in The Hague to blame, while Brussels does not fit into a post-colonial format.

A flurry of discussions pro and con, reports and articles has energized the debate on a possible change in political status of the Caribbean islands in relation to Europe, particularly the *Banden met Brussel* (Brussels Connections) report. **[xxviii]** In this report, the autonomy of the Caribbean countries is an overriding concern when considering various options. **[xxix]** On several occasions it asserts that such a status would limit the autonomy of the Antillean authorities. A case in point is made of the possible demands of European environmental regulation with regards to the oil refinery on Curaçao. European regulation would oblige the island government of Curaçao to update the environmental standards of operation of this refinery with large investments as a result. In this report the urgent need to upgrade the refinery's environmental practices is bypassed in consideration of Antillean autonomy.

However, the valuation of Antillean autonomy must be offset against what its worth has been in these specific areas of government. For instance, how good has Antillean autonomy been in view of the pollution history of Curaçao's refinery at the cost of the health of the population living in neighborhoods in the polluted air, some of them all their lives. **[xxx]** In other parts of the world, such pollution problems have been framed in the larger context of how dominant multi-national companies conduct themselves in poor nation-states. **[xxxi]** In this case an environmental scandal was allowed to continue for decades, not in a poor nation-state but in a country that was part of the Kingdom of the Netherlands. How good have the Kingdom's safeguards been? The added value of European rule and regulation must be taken into account when considering Antillean autonomy.

*Repairing a not so united Kingdom. What to consider?*

Both options, a separate statehood status for each Caribbean island in the Kingdom of the Netherlands as well as a status of Outermost Region of the European Union are as yet only in general outlines on the drawing board. Many issues still need to be detailed. This should be considered as an advantage, to be a stepping-stone in the trajectory to make one, or both options, modified or not, eventually work. Now is the time indeed to define the many considerations that should be taken into account when repairing the Kingdom.

### *Erosion of the Kingdom's creed in the Netherlands*

For the Netherlands, the colonial mission is long gone. Since the 1980s the Kingdom's mission in modern times is *under construction*, as it were. The Kingdom's role in the Caribbean was never meant to be dominant. For lack of consensus and leadership, the Kingdom's course in the last decades of the 20th Century has been rather unsteady. The switch from a mission to decolonise, to a calling for the Kingdom as a modern form of extended statehood still has to be made, if it can be made at all.

The Dutch post-colonial readiness to support relatively high-income countries such as Aruba and the Netherlands Antilles, let alone to set things right on these far away islands, is eroding fast. The generation in the Netherlands that still remembers the historical watershed between colonial empires and Third World independence is retiring. Maybe even more important is that Dutch nationals are losing a sense of responsibility for the colonial past, as the Netherlands has once more become a country of immigrants.**[xxxii]** What once was Dutch is no more. But what is Dutch? Also in the past, the attempt to define *Dutch* has raised intricate questions.**[xxxiii]** In 1998 almost half of the youngsters in Amsterdam and Rotterdam (5 – 14 years) were of foreign and non-Western origin.**[xxxiv]** A conservative prognosis indicates that in 2015 ethnic minorities will make up 40 per cent to 45 per cent of the population in the major cities. Others foresee that the sum of these minorities will by then have become a majority in these cities.**[xxxv]**

Repairing the Kingdom requires a new vision on the Kingdom in its relation with the Caribbean countries. How does the Netherlands' position fit into this vision? The island population must have a final say in new arrangements. What would be the outcome of a referendum in the Netherlands?**[xxxvi]** What is in the Netherlands' best interest? Somebody high in office once suggested that this question not be raised as no ready answer can be given. On the part of the

Netherlands, not much effort has been made since 1954 to connect with the Antillean isles. Successive ministers for Kingdom Relations have given plenty evidence of good intentions and warm feelings. They have produced a trail of paperwork and plans. The defining moment came in 1989 when all parties recognized that the presence of the Kingdom of the Netherlands in the Caribbean would become permanent. The permanent ties had strings attached that called for good governance in the Caribbean countries. Notwithstanding all the efforts, the (re-) construction of a common purpose and identity that justifies the Kingdom maintaining a presence in the Caribbean has not been substantiated in terms that are safe and sound for all partners. Hard statistics on immigration, crime and the trade of drugs have worn out curiosity and the rosy image of Antillean islands in the sun. At present, while the permanence of the Kingdom relations seems to be a given, a struggle has ensued as to how to define and maintain the Kingdom's connection to its Caribbean parts. How to define a Kingdom of the Netherlands that is united with Caribbean countries has become a tricky question, maybe even more in the Netherlands than in the Caribbean countries. Disengaged from its colonial history, the relationship between the partners in the Kingdom must now be defined in practical and commonly comprehensible terms (*een zakelijke relatie*).

### *Standards of government service in the Caribbean*

Only recently an attempt was made to standardize the level of government services in the Netherlands Antilles, especially in view of the level of services on the smaller islands (Saba, Sint Eustatitus and Bonaire). An advisory committee (*Havermans*) dealt with the thorny question of how to stabilize the public finances of the so called *needy* islands and to suggest a framework for answering the question of how much the government finances of these islands had to be supplemented in order to guarantee a level of government service similar to the level on Curaçao.**[xxxvii]** All in all, and following the law, the government expenditure on Curaçao became the norm for the correct level of public expenditure on the other islands, without considering the quality of the Curaçao government services itself. Backed by a legal proviso, the concept of the Netherlands Antilles as a viable autonomous country of five islands was jacked up to define a standardized provision of government services and to stabilize the *needy* islands' government finances.

Relinquishing the concept of the Netherlands Antilles as a country of five islands

will make the notion of Antillean standards of service elusive. *Jesurun* advises:

*The level of public services is primarily the responsibility of each island, but the small islands require supplemental financial support to maintain basic provisions/services.*[xxxviii]

Rather than an Antillean standard of government, the question of what the Kingdom stands for will spring to the fore. As it stands at present, the constitution of the Kingdom does not guarantee a standardized provision of government services in the Kingdom as a whole. The new the ruling is: each Land for itself and the Kingdom for the Crown Territories. Which standards will the Kingdom apply for the Crown Territories? Will life in a Crown Territory be better than in an autonomous Caribbean Land? This question does not stand on its own. As a matter of principle, the fragmentation of the nation-state of the Netherlands Antilles may elevate the wide differences in government provisions within the Kingdom to a political level. Every so often, members of the Netherlands' Parliament when visiting neighborhood slums in the Caribbean countries have proclaimed that this should not be allowed in the Kingdom (*dit kan eigenlijk niet in het Koninkrijk!*). So far the Netherlands' Parliament has not seriously debated these concerns, let alone put into place the regulation and finances needed to address them.

#### *Expansion Kingdom's good governance agenda?*

The option of a separate status for each island comes with the condition of increased regulation of the Kingdom. But basically the Kingdom's provision does not change. The Kingdom's regulation must be stretched now to include law enforcement and the administration of justice as well, but it remains a Kingdom Ltd. In significant areas such as education, public health, combating poverty, social welfare, environment and pollution, local standards will continue to define the level of provision. The Kingdom does not safeguard basic levels of these provisions. As has been in the past, cooperation with and financial assistance of the Netherlands is available, though for a limited time. There have been successes in this cooperation, for instance Sint Maarten's reconstruction in the 1990s; urban renewal and monument restoration in Curaçao; and many more. But this cooperation has not been able to prevent the derailment of whole neighborhoods in Curaçao, the notoriety *Antillengemeenten* gained in the Netherlands, and the debate every so often concerning the open borders within the Kingdom.

As a matter of principle, the autonomous countries in the Kingdom have to look after themselves. Eventually the Netherlands' financial development assistance will be terminated. In the long run, the Netherlands' finances remain available only for Kingdom affairs and for areas where the Kingdom has been ascribed a safeguarding function.**[xxxix]** The question is whether or not a Kingdom Ltd., though better regulated, can tackle the current problems. These problems are rooted in areas that fall under the auspices of the Antillean islands government, such as education, vocational training, economic development and labor relations, poverty and family conditions. Towering environmental problems and their consequences for public health and tourism must be added to the list. According to Jesurun, the proposed redirection of the Kingdom relationships will contribute to solving the social-economic problems, improving the cooperation between the partners and reducing the export of problems to the Netherlands.**[xl]** Is this wish-full thinking or a convincing argument? Others, including Committee 2004, a loose NGO whose concern is improving the Kingdom, are not convinced. Committee 2004 proposes expanding the list of *Koninkrijksaangelegenheden* with education, public health, and combating poverty.**[xli]**

For the Netherlands public, the overspill of Antillean problems to the Netherlands overstretches the concept of a practical and commonly comprehensible relationship (*een zakelijke relatie*). Will a better regulated but still a Kingdom Ltd., be able to cope with Caribbean problems migrating to the Netherlands, as has been the case in the past? Or must for that reason the Kingdom's good governance agenda be expanded?

### *Regulation of Kingdom's role*

The lack of regulation at the level of the Kingdom with regards to safeguarding good governance must be considered as a major deficiency in its operations. The Kingdom's safeguarding role, defined as supervision, has always been very restricted. According to a statement by the Minister for Kingdom Relations in Dutch Parliament in 2004, supervision is a measure of last resort, because it infringes on and implies a transgression of the regular democratic process of autonomous countries. Supervision is authorized in special circumstances, and only then when it concerns a matter of structural shortcoming on the part of the national or island government. Other considerations such as the seriousness of the matter; recourse by the Antillean government; actions of a lesser nature; and finally, the effectiveness of supervision must all be taken into account.**[xlii]** Thus,

this minister, in unison with many of his predecessors, made it very clear that the Kingdom's supervision was only to be called upon in very unique circumstances. And even in these exceptional circumstances, tensions are inevitable as nowhere is the baseline established from which the responsibility of the Kingdom should be activated. **[xliii]**

In the old days of the special relationship, the default mode of solving problems in the Kingdom was to sit down and talk it out. No more, this default has been reset but not replaced by adequate regulation. All in all, the intervention of the Kingdom's safeguarding function is not regulated but rather incidentally activated when good governance is in jeopardy or has already been derailed. It is used as an ace in the hold; in plain Dutch '*als een stok achter de deur*'. No wonder that the Kingdom's safeguarding role has been compromised and, when acted upon, runs into a finicky debate about colonial intervention and Antillean autonomy. The Kingdom's safeguarding function requires that it be established as a regular system of administration that includes adequate procedures, rules for monitoring and specification of norms and criteria that apply to Caribbean government operations. This regulation must also include a support structure that can be called upon when such is required to meet the standards that have been set. Instead of an ace in the hold, the Kingdom's safeguarding function should have the effect of providing support to areas where good governance is about to fail.

#### *Local autonomy and Kingdom's safeguards, their worth in real terms*

In many ways, the Netherlands insistence on Caribbean self-reliance (*zelfredzaamheid*) has done more harm than good. Furthermore, the Charter's *equal partner doctrine* has mortgaged the operations of the Kingdom with false promises, impossible to fulfill. **[xliv]** In some circles Antillean autonomy has become sanctified as a stand-in for political independence. Aruba and the Netherlands Antilles, for good reasons, did not chose to become independent countries, a commendable choice. But some define themselves as *autonomistas* and are as such oversensitive to any Dutch intervention. Right or wrong, Antillean autonomy first. For them, it is more a mental condition than a political reality. In the past, such Antillean comportment has been duly understood and respectfully dealt with. But now that widespread poverty and staggering numbers of attacks on people and homicides are part of Antillean life, the unbending deportment of the *autonomistas* has lost respectability.

On Curaçao the number of attacks on people, either at home, shops, businesses or

on the streets, has risen to alarming proportions, especially when taking into account the size of the island population, ca. 130.000 people.**[xlv]** In December 2004, three restaurants of Kentucky Fried Chicken on Curaçao were robbed, which made for a total of 8 attacks in 2004 on KFC and Pizza Hut restaurants combined. The rumor went that KFC headquarters in the USA decided to close all its restaurants on Curaçao. And KFC's leaseholder on Curaçao was so fed up that he threatened to mount an international publicity campaign on crime on Curaçao. Only after the Prime-Minister, the Minister of Justice and the Head of the Antillean Police had explained that all that was possible was being or going to be done to turn this situation around, did KFC agreed to reopen its restaurants.**[xlvi]**

The figure for homicides has risen dramatically. On 10th December 2004 three persons were killed, by the end of December a total of 47 homicides in 2004 was counted. This score adds up to 36.2 per 100.000 inhabitants. In previous years these numbers had increased from an average of 16 per year during the period 1997- 2001, to a total of 41 (2002), and 53 (2003).**[xlvii]** For a large part, these crimes are qualified as *settling scores* in drug circuits. In many cases, Columbians are involved, either as victim or attacker, according to the Prosecutor's Office of the Netherlands Antilles.**[xlviii]** In comparison with independent countries in Central America, Curaçao's figures are alarming. For instance, in Costa Rica a number of 260 *asesinatos* was projected for 2004 (based on 238 per 19th December 2004). This score equals 6.1 per 100.000 inhabitants.**[xlix]** The figure for Curaçao is almost 6 x higher than Costa Rica's score of homicides. And compared with the number of homicides in the Netherlands in 2003, Curaçao's score is 30 x higher (x 100.000).**[l]** The homicides on Curaçao are very high in numbers, but must *feel* even chillingly higher as they happen on an island with a bit more than 130.000 inhabitants.**[li]** No wonder more and more people are hiding behind bars and walls when they can afford to do so. These figures do raise serious questions about local autonomy and the Kingdom's safeguards, their worth in real terms, at home and on the streets.

Much larger nation-states, in Europe and elsewhere, have opted for extensive power sharing at the expense of their national public authority. For instance, even *Paris* has to comply with the financial deficit-procedure of the European Union.**[lii]** Is this too much to ask of *Willemstad*? The old maxims of national autonomy and self reliance do not apply any more in a highly interactive world where trade, travel and migration, television, internet and, last but not least,

terrorism and organized and corporate crime, have made border crossings much more significant than the national borders themselves. Autonomy is not an absolute concept, but must be mapped out in relation to other significant political benchmarks such as social-economic development, regulation of public finances, international security and the protection of human rights. *Autonomistas* on the Antillean side and the *Kingdom Ltd. advocates* on the part of the Netherlands must come to terms.

Neither will work for a Kingdom with a mission to safeguard good governance for all *rijksgenoten*, irrespective of their distinct culture and geographical location. Kingdom's role has been limited and Antillean autonomy was for long *de rigueur*. Neither the Kingdom nor the Antillean or Curaçao government has in past or present been able to set things right. Will abandoning the Antillean nation-state, redefining Kingdom's regulation, and European Union rules and regulations do better? How? And what are the costs? And what are the gains? These are some of the questions that should be raised when considering a major repair operation on the structure and operation of the Kingdom. Schaefer, an Alderman for Public Housing in Amsterdam, once summarized the customary talk-ins and hearing procedures in the Netherlands in 1960s and 70s: '*in gelul kun je niet wonen*' (you cannot make your home in gibberish). In an Antillean context he may have stated: '*van autonomie kun je niet leven*' (you need more than autonomy to eat).

### *Repairing a not so united Kingdom. Can it be done?*

To sum up, any repair option to consolidate the Kingdom's presence in the Caribbean, with open borders for its citizens, will require more unity in policy, an expansion of the Kingdom's good governance agenda, more regulation and power sharing, and goodwill and practical minds on both sides. Can this be done? This question is even more complicated. The repair operation aims at bringing Caribbean governance in line with concepts of good governance that have become entrenched in the Netherlands, Europe and elsewhere, not for the sake of a persistent colonial hangover that these territories must be controlled, but because good governance serves the social-economic development of the island nations and the commonwealth of its citizens. It is also believed that the Kingdom of the Netherlands can help to strengthen the good governance agenda of the Caribbean nations. The Kingdom's mission is to uphold a good governance mirror to the Caribbean countries. Before all, an idealistic position must energize the repair operations of the Kingdom.

Turning the mirror around does raise the question of how good is governance in the Netherlands itself? Easily a long list of scandals in various corners of the Netherlands' government can be drawn up, including fraud in infrastructure projects, drug smuggling by the Netherlands Royal Police on Curaçao, corruption in the civil service, misappropriation of funds from Brussels and so on. Moreover, Dutch civil society is now torn between the trusted images of the past and yet uncharted stark realities. First Pim Fortuyn was murdered, and in 2004 Theo van Gogh, a well-known journalist and filmmaker, was killed in Amsterdam by a Muslim fundamentalist. These incidents, criminal vendettas and settling scores, discrimination and violent attacks on mosques, schools and churches have tainted Dutch civil society. The assumption of seemingly never-ending advancement since the 2nd World War has suddenly been put to the test, causing confusion and disarray in the Netherlands' civil society. However grim and upsetting for the Netherlands' nation, these adverse developments may contribute to creating a more practical rather than a *know-it-all* relationship among the authorities within the Kingdom. Still, these unsettling events have not made it easier to repair our not so united Kingdom.

The alternative to not repairing the Kingdom is to continue muddling through day by day, as the Kingdom has been doing these last 15 years. This option will most likely demand a price in terms of a further degradation of Netherlands' citizenship for Antillean rijksgenoten. Maybe not in terms of the law but very likely so in real life, a second-class citizenship may become increasingly manifest with regards to safety, health, education and social security. And it may become especially tangible when crossing the borders within the Kingdom.

## NOTES

- i.** This paper has been re-edited after Sint Maarten's Conference and University Workshop: The 50th Anniversary of the Kingdom of the Netherlands: 50 years Kingdom's Charter: Building a nation". October 2004.
- ii.** Het Statuut, the official title of the constitution of the Kingdom, translates to Charter. Both concepts are used indiscriminately in this paper.
- iii.** A Committee 2004 comprising people of all walks of life who are, or have been, involved in one way or another in Kingdom relations was set up. The committee's aim is to present the governments of the Netherlands, the Netherlands Antilles and Aruba a document containing a vision of the future of the Kingdom on the occasion of the anniversary of Het Statuut. Thereto it

launched in October 2003 a website and discussion paper, *Investeren in gezamenlijkheid* (Investing in communality). This site has regularly been updated, most recently in October 2004.

iv. The minister of Constitutional Affairs of the Netherlands Antilles, Richard Gibson, stated during the Panel Conference on Sint Maarten that: 'Het Statuut has served us well', and made reference to the immediate and generous reconstruction aid provided by the Netherlands government after hurricanes had struck Sint Maarten (in 1995 and following years).

v. *de Volkskrant*, Kabinet Antillen wankelt door ziekenhuisklucht, 2 April 2004.

vi. A sample of articles in the Dutch press over the last years illustrates frustration and irritation with the Caribbean partners in the Kingdom: Minister de Graaf wil ingrijpen op Antillen (*NRC Handelsblad*, 10 September 2004); Nederland somber en kritisch over Antilliaanse politiek (*NRC Handelsblad*, 2 March 2004); De Graaf wil lossere band met de Antillen (*NRC Handelsblad*, 4 March 2004); Antilliaanse blokkades, *NRC Handelsblad*, 27 May 2002; Relatie met Nederland teleurstellend (*Algemeen Dagblad*, 31 December 2002); Van Aartsen: Staatsverband Antillen bestaat niet meer (*Amigoe*, 2 September 2003); Antillen moeten nu eens orde op zaken stellen (*NRC Handelsblad*, 3 May 2003); Antillen boos op minister de Graaf (*NRC Handelsblad*, 11 September 2003); Geduld met de Antillen raakt op (*NRC Handelsblad*, 11 September 2003).

vii. With these words the Governor of the Netherlands Antilles specified the crisis the Netherlands Antilles is experiencing in the assignment of a political representative (informateur) to gauge the options of a new Antillean cabinet to be formed. *Amigoe*, Gouverneur benoemt Atacho tot informateur. Curaçao, 21 April 2004.

viii. Alfons van Marrewijk 1999: p. 190.

ix. Harry Hoetink 1990: p. 330.

x. Frits Bolkestein, *Zachte heelmeesters*, *NRC Handelsblad*.

xi. Lammert de Jong 2002: p. 224. 7 February 2004.

xii. Among others, the Committee 2004 calls attention to the lack of *gemeenschappelijkheid* (communality) in the Kingdom of the Netherlands. *Investeren in gezamenlijkheid*, edition 04.10.04 Website.

xiii. Denicio Brison: *The Kingdom Charter (Het Statuut): Fifty years in the wilderness*. Paper presented at the University Workshop Sint Maarten, 23rd October 2004.

xiv. Some of these scratches still hurt. In 2004, the *New York Times* reported that an Indonesian editor of a leading news magazine, *Tempo*, was sentenced to one

year in prison in a libel case that critics said was a setback for press freedom in Indonesia. He was charged 'under sections of Indonesia's criminal code that date back to the Country's Dutch colonial era'. p. A6. The New York Times, 17 September 2004.

**xv.** Russell Shorto 2004: p. 113.

**xvi.** Toekomst conferentie 1993.

**xvii.** Protocol van Afspraken tussen de Minister voor Nederlands-Antilliaanse en Arubaanse Zaken en de Minister voor Ontwikkelingssamenwerking van de Nederlandse Antillen betreffende de ontwikkelingssamenwerking tussen Nederland en de Nederlandse Antillen. The Hague, 2 October 1987.

**xviii.** The Charter stipulates that the values of democracy, human rights, good governance and the rule of law must be shared by the countries of the Kingdom. However, gay and lesbian couples that have been married in the Netherlands experience difficulties to register as married couples in the Netherlands Antilles and Aruba. The insistence of the Netherlands to comply with these rights has on Aruba brought into play renewed calls for independence.

**xix.** Gert Oostindie and Peter Verton 1998: p. 49.

**xx.** Hans van Hulst 2003.

**xxi.** Pourier, Ik wil investeren in jongeren, NRC Handelsblad, 28 January 1998.

**xxii.** E.M.H. Hirsch Ballin 1998: pp. 17-20.

**xxiii.** Make it work. Model voor een geherstructureerd Nederlands-Antilliaans staatsverband. Landelijke commissie Herstructurering. Nederlandse Antillen, July 1995.

**xxiv.** Indebted to Edward Heerenveen, once director of the Information and Protocol Department of the Netherlands Antilles, during a moment in our shared experiences with the operations of the Kingdom.

**xxv.** Advies Werkgroep Bestuurlijke en Financiële Verhoudingen Nederlandse Antillen, Nu kan het – nu moet het! In English: The Time is now, let's do it! (Jesurun report) 8th October 2004.

**xxvi.** Letter of the Minister for Kingdom Affairs to Parliament, 26 March 2003, referring to the Government Agreement in Principle (cabinet Balkenende II).

**xxvii.** Raad van State, Verdieping of geleidelijk uiteengaan? De relaties binnen het Koninkrijk en met de Europese Unie, p. 46. The Hague, February 2004.

**xxviii.** Rapport van de Commissie ter bestudering van mogelijke toekomstige relaties van de Nederlandse Antillen en Aruba met de Europese Unie, Banden met Brussel. De betrekkingen van de Nederlandse Antillen en Aruba met de Europese Unie. (Rapport van Beuge). 1st July 2004. See also, SEOR, Nederlandse Antillen:

LGO of UPG. A study assigned by the Central Bank of the Netherlands Antilles. Rotterdam, March 2004.

**xxix.** Rapport van Beuge 2004: p. 15.

**xxx.** Norbert George 2003.

**xxxii.** Jane Perlez and Evelyn Rusli, Spurred by illness, Indonesians lash out at U.S. mining giant. The New York Times, p. A1 and A 11. September 8, 2004. In the case of the Newmont Mining Corporation, the world biggest gold producer, based in Denver USA, the health hazards were contested. Robert Humberson, the general manager for external relations in Indonesia exclaimed: 'We find the water is in excellent condition, I dive there myself. It's fabulous'. A few days later, The New York Times reported that six officials of the Newmont Mining Corporation were detained and held for questioning about the accusations of pollution. Jane Perlez, Indonesia detains six from US Mining Business over Pollution. The New York times, 24 September 2004. An environmental scientist in Canada who worked with the Indonesian environmental group Friends of the Earth, believed that arsenic in the mine waste was the cause of the illnesses.

**xxxiii.** Jonathan I. Israel (1998) indicates on several occasions the immigrant character of Dutch society in the Golden Age. Israel quotes Pieter de la Court (1661): 'It is certain (...) that our manufacturers, fisheries, commerce and navigation, with those who live from them, cannot be preserved here without a continual immigration of foreign inhabitants-much less increased or improved'. (p. 624). Elsewhere Israel states: 'Despite the rising level of immigration from the inland provinces, most immigrants in Amsterdam continued to be foreign born. In the 1650s, 6.677 foreign-born men married in Amsterdam as against 4.252 newcomers born in the Republic outside Amsterdam' (p. 626). In the Golden Age student enrolments at the universities was for a substantial part foreign born, especially at Leiden. During the quarter 1626-1650 more students at Leiden's university were foreign born than Dutch. (p. 901).

**xxxiiii.** Also Russell Shorto (2004) maintains that in the seventeenth century "(...) it's something of a misnomer to think of 'Dutch' in this era as an ethnic signifier. The Dutch provinces in the seventeenth century were a melting pot of Europe. As English, French, German, Swedish, and Jewish immigrants came and settled, they adopted the language, 'Batavianized' their names (...) and, in time, adopted a basic framework for looking at the world one of the main features of which was the need to accommodate others ". (p. 125).

**xxxv.** Tesser, P.T.M. et al 1999: p. 45.

**xxxvi.** Tesser et al (translated) (1999): 'Ethnic minorities are defined as residents

in the Netherlands who are born in foreign nonwestern countries or born in the Netherlands out of foreign non-western born parents. For 1998 the numbers of non-western residents in the Netherlands (x 1.000) are: Turkey 280, Morocco 234, Suriname 257, Netherlands Antilles 71, Asia, Africa, and Latin America 316. The total number of non-western residents is 1.159; this is 7, 4% of the total population. This number doesn't include immigrants of Indonesian origin; they are separately categorised and number 215.000 (1998). Immigrants of Suriname and the Netherlands Antilles are a minority in the total non-western immigrant population'. (p. 150).

**xxxvi.** An indication of Dutch opinion may be the results of a poll in 2004 by the Wereldroep. A majority of the sample was in favor of Antillean independence.

**xxxvii.** Commissie van Advies over het Solidariteitsfonds, Eindrapport (Havermans report). Den Haag/Willemstad, September 2003.

**xxxviii.** Jesurun report, p. 27/28.

**xxxix.** Jesurun report, p. 72.

**xl.** Jesurun report, p. 40.

**xli.** Comite 2004, Investeren in gezamenlijkheid, edition 041004. Website.

**xlii.** Website Ministry of the Interior and Kingdom Relations, Answering questions about the effects of the industrial waste (SHELL) on Curaçao, 2nd April 2004. The question referred to an article, The Hell of Shell.

**xliii.** Ministry of the Interior and Kingdom Relations, Toekomst in samenwerking, p. 6. The Hague, 1999.

**xliv.** Douwe Boersema, 50 Jaar Statuut en verder. Presentation on 15 December 2004.

**xlv.** In 2004 (until 22nd November) 1010 attacks were registered. In previous years this was 431 in 2001, 526 in 2002 and 730 in 2003. Most attacks in 2004 were armed attacks: 805. And in 70% of the armed attacks, firearms are being used. So in more than 50% of the attacks on Curaçao, firearms are brought into play. About 25% of the attacks take place in or around homes; almost 50% are street attacks. In previous years, attacks with firearms counted for 41% (2001) and 61% (2002) of all attacks. On a total of 1010 attacks in 2004, only 178 arrest were made (up to 22 November 2004) of which a number of 147 were classified as solved cases, this is only 14 % of all attacks. Source: Resume 2004 and Projectteam Atrako, aanhoudingen en opgeloste zaken 2004.(hag. rijnschot. e.l.)

**xlvi.** Amigoe, KFC 2 januari weer open. 31 December 2004.

**xlvii.** Bureau of Statistics of the Netherlands Antilles, Moord / doodslag pa Korsou. (source: KPNA: bureau Communicatie en Voorlichting). The Jaarplan

2003, Openbaar Ministerie Nederlandse Antillen, p. 8, lists for 2002 a number of 45 murders/killings. 11 February 2003. These figures have been checked and adjusted by the Department of Justice, Netherlands Antilles, e-mail to author, 27 January 2005: 45 homicides in 2002, 53 in 2003 and 47 in 2004.

**xlvi.** Jaarplan 2003, p. 8. Openbaar Ministerie Nederlandse Antillen.

**xlix.** For 2003 a total of 300 homicidios were registered by the Oficina de Planes y Operaciones del Organismo de Investigación Judicial (OIJ) of Costa Rica. The figure of Curaçao is almost 6 x higher than Costa Rica's score of homicides. In the rest of Central America, the figure is much higher than in Costa Rica. According to the Organización Panamericana de la Salud (OPS), the average number per 100.000 inhabitants is 27 asesinatos. Compared with Central America's average figure of 27,6 per 100.000, Curaçao's number of 36.2 per 100.000 is still 13 % higher. Central America includes Guatemala, Belize, Honduras, Costa Rica, El Salvador and Nicaragua.

**i.** The number of homicides in the Netherlands has been rather steady. From 1996 to 2003, the highest number was 1,4 per 100.000 (in 1996). In 2003 this number had fallen to 1,2 per 100.000. Centraal Bureau voor de Statistiek, Niet-natuurlijke dood naar diverse kenmerken. Website, statline. Cbs.nl/Stat/Web/.

**ii.** In 2003 the number of homicides in Amsterdam was 43, that is 6,14 per 100.000.

**iii.** Only because it is expected that the 2005-budget deficit will remain within the 3 % norm of the Stability- and Growth Agreement, the French Republic escaped in 2004 application of the deficit-procedure.

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