

DRAFT MOTION

The Parliament of Sint Maarten in its meeting of today, May 19th, 2020,

Considering:

That on May 13th, 2020, the Prime Minister of the Netherlands informed the Prime Ministers of Aruba, Curaçao, and Sint Maarten of a written draft proposal by the Dutch State Secretary of Kingdom Relations to provide financial assistance to the latter three governments aimed at mitigating the effects of the ongoing COVID-19 situation,

That the Dutch State Secretary of Kingdom Relations in his advice of May 13th 2020 indicated that acceptance of the proposal is due by Wednesday, May 20th, 2020, by 11 a.m. Sint Maarten time,

That the Government of St. Maarten has indicated to Parliament that most, if not all of the conditions proposed by the Dutch Government are equivalent to the ones already being proposed by the Government of St. Maarten

The Charter of the United Nations, and in particular articles 2, 73, 103, resolutions 742 (VIII), 747 (VIII), and 945 (X), the "Statuut voor het Koninkrijk der Nederlanden", article 93 of the Constitution ("de Grondwet") of the Netherlands, article 27 of the Vienna Convention on the Law of Treaties, and the International Covenant on Civil and Political Rights (ICCPR)

The Universal Declaration of Human Rights, the ILO Conventions, the KYOTO PROTOCOL TO THE UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE, and the SENDAI FRAMEWORK FOR DISASTER RISK REDUCTION 2015-2030,

The fact that the "State Party" to said Charters, conventions and protocols is the Kingdom of the Netherlands,

The implications that the Kingdom of the Netherlands is ultimately responsible for guaranteeing that the Caribbean islands within the Kingdom are able to live up to their obligations under all international treaties and conventions to which the Kingdom of the Netherlands as State Party is a signatory,

That this ultimate responsibility of the Kingdom of the Netherlands does not negate the obligation of the Government of the Netherlands to comply with the international laws governing self-determination, decolonization, and the right of the people of Sint Maarten to a full measure self-government based on absolute equality with the Netherlands as colonizing power,

That the Government of the Netherlands voluntarily, unconditionally, and generously provides financial and other assistance to independent nations outside of the Kingdom of the Netherlands in the Caribbean region and beyond,

In accordance with Article 67 of the Constitution of St. Maarten: "Parliament is authorised to represent the interests of Sint Maarten to the Government of the Kingdom and to the Parliament of the Netherlands."

Declares:

That the parliament is desirous of fully supporting the Council of Ministers of St. Maarten in its quest to secure financial and other assistance with the aim of sustainably rebuilding and strengthening the economy of Sint Maarten in the wake of hurricane Irma and the COVID-19 Pandemic, to benefit the well being of the people of Sint Maarten,

Resolves:

1. To support the government of St. Maarten's response to the Kingdom Council of Ministers that most if not all of the content of the proposal was already in the planning to be addressed by the government of St. Maarten.
2. That the conditions in said written proposal should only be accepted insofar that:
 - a. they are not in violation of local Laws, Kingdom Laws, international charters, conventions, and protocols such as those mentioned in the considerations,
 - b. they are equivalent to the proposals for solidarity that were already in process by the Government of St. Maarten,
 - c. they should be, as has often been advised by the CFT: Specific, Measurable, Achievable, Realistic and Timely (SMART),
 - d. the relevant union and labor representatives have been consulted.
3. To remind the Kingdom Government of its obligations and responsibilities, as well as that of the Kingdom of the Netherlands as State Party to the international charters, conventions, and protocols as mentioned in the considerations of this motion; Parliament does this in accordance with Article 67 of the Constitution of St. Maarten.
4. For the council of Ministers to continue dialogue with the Kingdom Government and other relevant partners within the Kingdom with the aim at securing the required COVID-19 related assistance based on the laws, charters, conventions, and protocols as mentioned in the considerations of this motion.
5. To urge the Kingdom Government to cooperate with the process as listed sub 4 of this motion.

6. For the Chair of Parliament and the Chair of the St. Maarten Parliamentary Committee of Kingdom Relations to engage relevant experts on the matters related to this motion to provide advice and assistance on conditionalities within the kingdom for mutual assistance within two (2) weeks.

7. For the Chair of Parliament to bring this motion to the attention of the legitimate legislative, executive, and judiciary branches within the Kingdom of the Netherlands, and the United Nations, as well as having it added to the agenda of the IPKO meetings scheduled for 2020,

And goes over to the order of the day.



PARLIAMENT OF SINT MAARTEN

Tuesday, May 19, 2020, at 15.00 hrs.

Voting list

NO.	NAME	VOOR/FOR	TEGEN/AGAINST
1.	Rolando Brison	✓	
2.	Abeem E. Arrindell	✓	
3.	Sidharth M. Bijlani	✓	
4.	Claudius A. Buncamper	✓	
5.	Solange L. Duncan	✓	
6.	Christophe T. Emmanuel	✓	
7.	Melissa D. Gumbos		✓
8.	Guska S. Heyliger-Marken	✓	
9.	William V. Marlin	✓	
10.	Amar E. C. Atkley	✓	
11.	George C. Pantophlet	✓	
12.	Raeyhan A. Petersen		✓
13.	Hyacinth L. Richardson	✓	
14.	Angelique J. G. Roman	✓	
15.	Sarah A. West- Williams		✓

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