

## Reaction Motion of no-confidence

**Date: July 6<sup>th</sup> 2013**

I received the text of the motion of no-confidence *after* it was tabled by Councilman Merkman in the Island Council on July 4<sup>th</sup>. Simultaneously when it was handed to me copies were distributed to all council members, who apparently had not seen it as well, including the council members Zaandam and Lijfrock, who had already pledged to support.

Due to the timing, I was not granted sufficient time to react on the contents. For general consumption however I feel it still important to give my response to the points mentioned in the motion. Most points were matters that have been explained and discussed with Merkman in various different forums such as in party board meetings, in coalition meetings and in central committee meetings time and again. I did however ask Merkman specifically for a substantiation of his allegation of me engaging in personal gain and nepotism as this in my opinion is a strong allegation which harms my integrity. Unfortunately the councilman decided not to answer my question.

I wonder if Merkman, a teacher in secondary education, is aware of the meaning of the word nepotism. This is what the dictionary says: Nepotism is favoritism shown by somebody in power to relatives and friends, especially in appointing them to good positions regardless of merit. I cannot bring up any individual that meets the qualification of being my relative or friend who have been appointed without merit during my tenure in office. I therefore challenge the good councilman together with the supporters of his motion to bring to the public the names of those who I have appointed that fit this profile.

Following however is the exact wording of an instruction Mr. Merkman mailed me a few months ago and I quote: *DP island council members have to be informed about all major decisions and development before decisions are made in the Executive Council. Specifically when these decisions carry political connotation. Examples are hiring, firing, appointment of members to government boards; hiring of consultants, firing of civil servants.*

This instruction shows clearly the intention of Mr. Merkman, as island council member, to be involved in personnel matters, which are the responsibility of the executive council. One may wonder what his reason is for this, other than the same thing he is accusing me of, nepotism. In Dutch they say: "Zo de waard is, zo vertrouwt hij zijn gasten".

I am accused of and I quote: *willfully withholding information to the island council and structurally misinforming the people of Statia and the island council.* Unquote. It is important to mention that the previous government did not decimate information to the island council at all. The government I was part of shared all relevant information with the island council. I (now former) commissioner on my own on many occasions passed on information directly without even waiting for the official process through the executive council. Information on taxes I gave to the public is all based on figures that have been supplied to government. Of course it is known to the general public that the taxes Merkman is referring to are the responsibility of the Federal Government.

*The factions in the council indicated in an island council meeting to the Executive Council that it is preferable to have the Road Fund as the body to be in charge of constructing the roads in Statia, commissioner Sneek of finance persists in his action to keep the Road Fund dormant.*

First of all Mr. Merkman needs to remember that it is the Executive Council who is responsible for the functioning of the Road Fund as a government foundation handling government funds. For this purpose PWC was requested to carry out a screening. The screening report reported gross financial mismanagement within the Road Fund. The report has been submitted to the Island Council since April. To date the Council has not discussed the document nor reacted to it. It need be said that the main person behind the Road Fund at the time was a relative of councilman Merkman.

Furthermore the sole purpose in accordance with the articles of association of the fund is to manage the funds for road construction and repair. They cannot engage in construction and maintenance work at all. Our executive council therefore put a stop to this.

It is also important to mention that in accordance with the statutes the commissioner of DROB is the chairman of the Road Fund. I was never the commissioner of DROB. Since the WOLBES does not allow a commissioner to be a member of a government board, the Kingdom Representative had granted an exemption for my colleague in order to close it down. Political meddling by, among other, councilman Merkman is delaying this process that is costing Government more than 10,000 dollar every month. The sole interest the councilman has in it is to allow double salaries for DROB personnel and jobs at the non-functioning foundation. I wonder if you can call this interest of Merkman nepotism.

Also for public consumption it is important to mention that road construction is now being carried out by various local construction companies. As such the government is directly supporting our local economy and job market.

*Commissioner of finance is structurally engaging in a personal vendetta against certain groups, factions and/or persons employed with the Public Entity St. Eustatius.*

It is not clear what the councilman means by this statement. I cannot think of any groups, factions or persons that I had a vendetta against. Again I have consulted the dictionary: *A vendetta is an often prolonged series of retaliatory, vengeful, or hostile acts or exchange of such acts.* I am at a loss here, but I believe I know what the councilman is trying to say.

The executive council did not extend a contract of a department head, because the individual did not perform. This decision was upheld by the court.

The executive council did transfer an acting head of a department, because the individual did not perform. After the transfer the performance of the entire department has drastically improved.

Then there is the matter with EDUPARTNERS, where labor contracts were illegal because they were signed by a civil servant, while the Governor is the one that by law should have signed them. Also wage tax etc. was not withheld, while this is a requirement by law. In order to correct this and to avoid that the personnel would have been caused financial harm, the staff members were placed under a

temporary contract with an employment agency. One of the staff, who's contract did expire, however refused to take the option of temporary employment through the employment agency, awaiting legalizing of EDUPARTNERS, and was allowed by the head of EDUPARTNERS to continue to work without the latter informing the executive council. The staff member later then claimed that she did not get paid. Through the action of the head, by still allowing the staff member to work, the executive council lost its legal position and therefore retroactively paid the employee. It is unfortunate that Merkman does not understand, as a teacher of a secondary school, how these legal matters work.

The executive council did suspend a department head because there are strong indications of gross mismanagement. A further decision need to be taken as soon as the inquiry into the case has been completed.

Councilman Merkman did object to a number of these cases. All cases do involve personnel matters. Some of them involve his relatives. I leave it up to the public to decide if this involvement of Merkman maybe a form of nepotism.

*That the commissioner of constitutional affairs has engaged in discussions with the minister of internal affairs pertaining to the evaluation 2015 without previously seeking the input and the position of the island council. Matters pertaining to this exercise are the sole responsibility of the island council.*

The agenda points for the CN-week of March this year, of which the point of the evaluation was part, has been discussed in length prior to the CN-week in the central committee, the coalition and the DP party board. No agreement has been made with the minister pertaining to the contents of the evaluation but merely over the process leading to the evaluation. It has clearly been agreed that the island councils and the population of the three BES islands are full partners in the evaluation process.

*On sensitive matters, the commissioner of the DP has blatantly ignored advice and position of the DP leader.*

Most of the advice and positions of the councilman were related to personnel matters and therefore are pertaining to the involvement Merkman demanded in these matters. Again personnel matters are not the responsibility of the island council. In various VNG workshops island- and executive council members has been explained this time and again. It seems very difficult for some island council members, including Merkman, to accept that this political meddling is something that should be a thing of the past.

Another matter he refers to is the airport tax, which has been increased on Jan 1<sup>st</sup> to 15 dollars. He had advised me to have this decision reversed. The increase of the tax however is part of the 2013 budget, which was unanimously approved by the island council last year. I have pointed this out to Merkman and suggested he should go home and think it over and discuss it within the party first. This he took as a form of disrespect towards him as leader of the DP party. Eventually it was agreed within the coalition that the tax should remain as is and the case should be laid to rest. Obviously Merkman's backbone was not strong enough to stand the pressure and defend the decision of the coalition.

*The commissioner of personnel affairs wasn't proactive in giving preference to hiring young Statian professionals returning to St. Eustatius to make their contribution.*

Here the councilman refers to two cases. He has drawn my attention to both of these cases of qualified young Statians. In the first case the executive council, with the knowledge of the candidate, started the application process, but the individual did not wait for it to be completed and accepted a job somewhere else. Mr. Merkman should be aware of the fact that a transparent process has to be followed and a person cannot commence work without the application is approved by the Kingdom Representative.

In the second case the young qualified Statian was actually hired and was to start work, I believe on Dec 1<sup>st</sup> 2012. The applicant postponed her starting date at least twice and eventual it became clear that she had simultaneously applied for another job, where she also was hired.

Merkman has all the time been fully aware of the details of both cases.

It is clear that in all cases mentioned in the motion of no-confidence Merkman was informed by me on more than one occasion and in different settings in the company of party and coalition members as well in the Central Committee. The motion by councilman Merkman has received the support from Council members Zaandam en Lijfrock. The latter means that they concur with all the points mentioned in this motion, while also they in most cases are fully aware of the contrary. Ultimately it is for the public to decide who is wrong or who is right.

Koos Sneek  
Former DP Commissioner