



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women**

**Consideration of reports submitted by States parties under
article 18 of the Convention on the Elimination of All Forms
of Discrimination against Women**

Fifth periodic report of States parties

Netherlands*
(Netherlands Antilles)

* The present report is being issued without formal editing.



**Convention on the Elimination of All Forms of Discrimination against Women;
Fifth Periodic Report of the Netherlands Antilles**

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Introduction

1. This fifth periodic report of the Netherlands Antilles is submitted in accordance with article 18 of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), which entered into force with respect to the Kingdom of the Netherlands on 22 August 1991. The Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women entered into force with respect to the Kingdom of the Netherlands on 22 August 2002.

2. This report is submitted as far as possible in accordance with the guidelines on the form and content of reports.¹ It covers the period from 2005 to 2008 and should be read in conjunction with the previous reports submitted by the Netherlands Antilles. Both government and non-governmental organisations contributed to its preparation.

Developments

3. Given the desire, expressed by members of the population of the five islands that make up the Netherlands Antilles, to change the islands' constitutional status, referendums were held between 2000 and 2005. In the Netherlands Antilles it is possible to hold a non-binding or advisory referendum, whose outcome is regarded as a recommendation to Parliament. These referendums were held in accordance with United Nations criteria.

4. An overview of the options presented and the results received is provided below.

Table 1 Options and results of referendums held on the five islands of the Netherlands Antilles

| | | |
|--|--|-------|
| Sint Maarten referendum, 23 June 2000 | | |
| Option A | Remain part of the Netherlands Antilles | 3.7% |
| Option B | Become an autonomous country within the Kingdom of the Netherlands | 69.9% |
| Option C | Become part of the Netherlands | 11.6% |
| Option D | Become an independent state | 14.2% |
| Saba referendum, 5 November 2004 | | |
| Option A | Direct ties with the Netherlands | 86.0% |
| Option B | Remain part of the Netherlands Antilles | 13.2% |
| Option C | Independence | 0.8% |
| Bonaire referendum, 18 February 2005 | | |
| Option A | Remain part of the Netherlands Antilles | 15.9% |
| Option B | Direct ties with the Netherlands | 59.5% |

¹ HRI/GEN/2. Rev.5.

| | | |
|----------|--|-------|
| Option C | Autonomous country within the Kingdom of the Netherlands | 24.1% |
| Option D | Independence | 0.5% |

Curaçao referendum, 8 April 2005

| | | |
|----------|--|-----|
| Option A | Become an autonomous country within the Kingdom of the Netherlands | 68% |
| Option B | Become an independent state | 5% |
| Option C | Remain part of the Netherlands Antilles | 4% |
| Option D | Become part of the Netherlands | 23% |

Sint Eustatius referendum, 8 April 2005

| | | |
|----------|---|--------|
| Option A | Remain part of the Netherlands Antilles | 76.60% |
| Option B | Direct ties with the Netherlands | 20.56% |
| Option C | Integration with the Netherlands | 2.18% |
| Option D | Independence | 0.64% |

Source: Administrative and Constitutional Affairs Department of the Netherlands Antilles

5. On 26 November 2005 a round-table conference in Curaçao initiated the process that will culminate in the islands of the Netherlands Antilles acquiring the status their people voted for. Various forms of consultation are underway at official and political level.

6. The target date for achieving these changes in status was originally 1 July 2007, but during the talks this was postponed to 15 December 2008. On that date, the Netherlands Antilles would cease to exist. In April 2008, however, the new date was again abandoned. While no definitive date has been set at the time of writing, Curaçao and Sint Maarten will obtain country status, while Bonaire, Saba and Sint Eustatius will become 'public bodies' within the Netherlands. The Kingdom of the Netherlands will ultimately consist of the Netherlands (including Bonaire, Saba and Sint Eustatius as public bodies), Aruba, Curaçao and Sint Maarten.

Article 1

7. The non-discrimination principle is laid down in article 3 of the Constitution of the Netherlands Antilles, which states that everyone in the Netherlands Antilles is equally entitled to protection of their person and property. The underlying principle is that all citizens are equal. Discrimination on the grounds of race, religion or conviction is a criminal offence in the Netherlands Antilles. Article 95c of the Criminal Code provides that: 'Discrimination or discriminating means every exclusion, limitation or preference which is intended to prevent or undermine the recognition, enjoyment or exercise on an equal footing of human rights and fundamental freedoms in the political, economic, social or cultural sphere or in other areas of public life or which may have this result.'

Article 2 – Article 5

8. During the period under review the concept of the gender policy network spread to Bonaire, Sint Maarten and Sint Eustatius. Since each island is unique and has different resources, the decision was made to allow the local context to dictate the shape each policy network model would take. At national level the policy networks on Curaçao and Sint Maarten included training on CEDAW, its implementation and the reporting process for CEDAW and related conventions. Training has also been provided in dealing with issues concerning violence against women on Bonaire, Sint Maarten and Curaçao.

9. Promoting gender consciousness and gender mainstreaming is not only achieved through these policy networks. The approach also includes interministerial training courses and other forms of networking.

10. On Curaçao several projects have been aimed at preparing young (teenage) mothers to compete in the job market. These young women received vocational training in a range of fields.

11. At the end of the training period they were required to undertake an internship in their chosen discipline to better equip them to find a job at the end of the process.

12. Another project focused on providing safe, independent housing for young girls. On Sint Maarten, the Women's Desk is currently helping to facilitate Girl Power sessions at the various schools. This program aims to build girls' self esteem and empower them to make conscious choices in their lives. Besides facilitating Girl Power, the Sint Maarten Women's Desk runs a number of projects in the areas of:

- human trafficking (awareness raising and victim support);
- domestic violence (counselling for victims and offenders).

13. Through its joint efforts between NGOs and government agencies, Bonaire has also taken steps to develop policy geared towards women's issues. A series of useful meetings were held with the women's affairs officer of the Social Development Department to provide the NGOs and agencies concerned with information and guidance on setting up a policy network on Bonaire.

Domestic Violence

14. The Netherlands Antilles continues to take steps aimed at combating domestic violence. In 2006, the Public Prosecutor's Office, together with several government agencies and NGOs, provided police training on effective intervention in domestic violence cases. In addition, several other groups and organisations have received training and/or are developing a structured programme to tackle domestic violence and child abuse.

15. In 2007 an interministerial working group on domestic violence was established, coordinated by the Social Development Department and including the Judicial Affairs Department and the Youth Affairs Department. Other relevant sectors and departments are invited to participate and contribute as necessary.

16. The Voice of Youth Foundation (*Bos di Hubentut*) and the Foundation for the Protection of Children (*Stichting Kinderbescherming*) have both been closely involved with combating violence against women and children. Voice of Youth has been raising awareness about child abuse and domestic violence, particularly among teenagers, through workshops and drama sketches. They have also been lobbying for the establishment of a dedicated centre for such activities. In 2006 the Foundation for the Protection of Children in Curaçao launched a series of workshops examining child abuse, the rights of the child, domestic violence and children's legal status. In 2007 the foundation also activated a hotline for young people and has now trained a large number of volunteers to man the hotline.

17. Domestic violence is still a major concern for Sint Maarten. The Women's Desk continues to focus on empowering women by providing information and raising awareness through information sessions, workshops and counselling.

18. In 2004, together with Gender United, the Desk hosted a panel discussion entitled: 'How Protected Am I? Is Antillean Law protecting me from Domestic Violence, Harassment and Stalking?' The goal was to review the existing legislation that deals with violence against women.

19. Another debate was organised to mark the International Day for the Elimination of Violence against Women on 25 November. This time the focus of the discussion was the importance of observing this date and the best way to create an effective response to violence against women in the Caribbean in general and Sint Maarten in particular.

20. In 2005 the Women's Desk held a discussion on domestic violence combined with a lecture which outlined amendments to the Criminal Code and discussed other relevant laws and amendments.

21. Together with the Ministry of Justice, the Sint Maarten police force and the Public Prosecutor's Office, the Women's Desk also organised an intervention training programme for law enforcement officers aimed at 'Understanding and Dealing with Family and Community Violence'.

22. Further training programme, entitled: 'Creating Peace and Harmony in the Family', was developed to improve police and immigration officers' understanding of family and community violence, thereby making them better able to address this ongoing phenomenon within society.

23. In March 2006 representatives of NGOs, government agencies and law enforcement offices were requested to meet with the Public Prosecutor with a view to seeking new ways of curbing domestic violence on Sint Maarten.

24. To mark 2006's International Day for the Elimination of Violence against Women, the Women's Desk collaborated with Safe Haven to organise a series of events under the banner, 'Not a Minute More'. A series of workshops, held over the course of a week, targeted different stakeholders on Sint Maarten, Saba and Sint Eustatius.

25. In 2005 the theme chosen for Sint Maarten's International Women's Day celebrations was 'The Powerful Voices of Women'. That year's goal was to look at developments in women's issues in Sint Maarten since the Beijing Conference in 1995, examine NGOs' responsibilities in this area, and consider the future of women's organisations on Sint Maarten as well as the importance of networking and developing both regional and international links.

26. In 2006 International Women's Day was celebrated under the theme 'Women in Decision-making: Meeting Challenges, Creating Changes. Activities included an essay contest on the theme of: 'Leadership for a Better Tomorrow'. The Sint Maarten Essay Writing Contest targets fourth and fifth formers from all high schools on the island.

27. The theme of 2007's International Women's Day celebrations was 'Ending Impunity for Violence against Women and Girls'. Events included a panel discussion on 'Women's role in curbing youth delinquency', which was aimed at reminding women that they are role models for their children, and that a mother's choices can have a serious impact on her children.

28. In 2007 for International day for the elimination of violence against women three closed sessions were held for the victims of abuse and those that know someone in an abusive relationship. The sessions were open to men, women and teenagers – anyone who needed help in getting on the road to recovery. A small exhibition was also held at Philipsburg jubilee library, highlighting the links between domestic violence and the feminisation of HIV/AIDS.

Safe Haven

29. Using workshops, radio programmes and active cooperation with the Women's Desk, the Safe Haven Foundation works to raise awareness about domestic violence in Sint Maarten. The organisation also visits primary and secondary schools to speak with children about the issue. Most women who visit the office are from other countries of origin and come seeking help for various types of abuse. The diversity of cultures on the island can make consulting with these women difficult, especially when they come from less open national or religious cultures (e.g. India and Islam).

Cooperation

30. In 2006 the Netherlands Antilles' National Commission for UNESCO and the Netherlands National Commission for UNESCO signed a Memorandum of Understanding (MOU), which formalised agreements on improving cooperation between the two bodies. The perceived gender imbalance in the Netherlands Antilles' education system is an area both parties agreed would benefit from joint research. Increasing drop-out rates, especially among boys, is causing great concern across the islands. The performance of girls, on the other hand, continues to improve, both in secondary and

higher education. Leaving school without qualifications has serious consequences for social participation among these boys, causes an imbalance in the labour market and negatively influences the Netherlands Antilles' ability to develop capacity.

31. The research will focus on 12 to 18-year-olds and will be conducted in the context of the Millennium Development Goals, which include ensuring that by 2015 boys and girls alike will have full access to education. The study is also part of the Delta Plan on Education. Its objective is to provide clear data on current drop-out rates by gender, the reasons behind the statistics, the experience of boys in school, experience gained in the labour market and the relationship between the local and international situations.

32. The Chair of the Netherlands National Commission for UNESCO and the Dutch education minister approved the study as part of the Commission's two-year programme. In 2007, preparations for the study included a lecture and interviews with the research team, and a list of the relevant literature has now been drawn up. The study is expected to commence in 2008.

33. The Netherlands Antilles has also entered into a partnership with the University of the West Indies (UWI), aimed at facilitating contact with five other Caribbean islands that are currently conducting their own research on the gender imbalance in education.

Poverty reduction

34. The Central Bureau of Statistic in cooperation with the UNFPA organised a 3 day workshop about Poverty Assessment in 2007. Various representatives of government agencies and Non-governmental organizations took part in this workshop. In a subsequent meeting a working group and an advisory group was established with the task of giving content to the technical aspects of the so called poverty line project. The Central Bureau of Statistic will be able to calculate the poverty line for Curacao in late 2008 and for the other islands at a later date. The calculation of the poverty line is of outmost importance for any informed policy that needs to be developed to help people living below the poverty line and it is expected that women will be overrepresented in this category.

35. Another activity worth mentioning is the research project on poverty reduction for households headed by women, which has been running on Curaçao since September 2007.

36. Poverty reduction has been a major focus in the Netherlands Antilles for some time. Initially, policy at national level was based on partnership with the Dutch government, both in alleviating acute poverty and in systematic poverty reduction. This developed into a broad, multidisciplinary approach. Due to the imminent constitutional changes, responsibility for this policy has shifted to the Dutch and island governments. At the end of 2006 a new programme called the *Social Economic Initiative* was developed to link social and economic issues.

Article 6

37. Trafficking in women is a criminal offence under article 260 of the Netherlands Antilles' Criminal Code. Further protection is afforded women under Title XVIII (crimes against personal liberty) of the second book of the Code. In the new revision of the Code now being prepared, there will be a greater focus on this subject.

38. Since 2004 the Netherlands Antilles has intensified its efforts to combat trafficking. On the recommendation of the International Organisation for Migration (IOM), the working group on human trafficking was expanded to include NGOs and government services at island-government level. The working group is now made up of representatives from:

- central government: the Directorate of Judicial Affairs (Coordinator), the Public Prosecutor's Office, the Directorate of Foreign Relations, the Directorate of Labour Affairs, the Directorate of Social Development, the Directorate of Public Health and the Customs Authority;
- island government: representatives of the Lieutenant Governor of Curaçao, the Medical and Public Healthcare Service and the Bureau of Women's Affairs;
- private and semi-governmental organisations: ContraSida Caribbean, the Caribbean Association for Feminist Research and Action (CAFRA), Victim Support Bureau, the Centre for Women's Development (SEDA); the mental-health foundation *Perspektiva i Sosten Integral* (PSI – Skuchami) and the Foundation for the Protection of Children;
- non-governmental organisations: Amnesty International, *Fundación Lazos de Integration Cultural* and *Fundación Solidaridad ku Migrante*. In addition: the Consuls of the Dominican Republic, Venezuela and Colombia, and the Coastguard for the Netherlands Antilles and Aruba.

39. On Sint Maarten, anti-trafficking efforts are led by the Anti Trafficking in Persons (ATIP) Windward Islands Foundation, which was established in 2007. The foundation comprises representatives of organisations on Sint Maarten (including the Public Prosecutor's Office and the Security Service).

40. The ATIP established a hotline through donation from UTS, the telephone company.

41. A range of projects have been implemented in cooperation with the IOM. These include the launch of an information campaign using posters and brochures in different languages, and public service announcements for radio and television, which promote the hotline the Netherlands Antilles has established on Curaçao and Sint Maarten.

42. In 2006, in cooperation with Comensha / La Strada Netherlands, (*Coördinatiecentrum Mensenhandel*), the Netherlands Antilles developed a national referral system for victims of trafficking who have been rescued and need assistance. The system is periodically updated in consultation with both the IOM and Comensha.

43. At Kingdom level, the Netherlands, Aruba and the Netherlands Antilles hosted a conference on human trafficking, people smuggling and illegal immigration. Delegates shared knowledge and expertise – primarily on law enforcement – and discussed achieving more concrete forms of cooperation. Each part of the Kingdom appointed a coordinator to ensure further cooperation and these have since indicated the most pressing priorities: prevention, victim support, law-enforcement training and follow up. A Memorandum of Understanding formalising cooperation in these areas has now been signed.

44. On Curaçao, immigration personnel and victim support workers received training from consular officers working on Curaçao, media representatives and other relevant organisations. The working group on Curaçao also assisted the other islands in setting up their own working groups. In addition they involved them in existing activities, in order to help them develop capacity and train the relevant agencies on their islands.

45. In 2005 workshops on human trafficking were held on Sint Maarten for various stakeholders in the community.

46. In 2006 the Women's Desk joined with the IOM to host a three-day workshop for law-enforcement staff, the Public Prosecutor's Office, customs officials, coast guard workers, Safe Haven and members of a focus group from Sint Maarten, Saba and Sint Eustatius. In 2007 this focus group decided to establish the ATIP Windward Islands Foundation mentioned earlier. This organisation comprises members of the working groups from Sint Maarten, Saba and Sint Eustatius.

47. In early 2007, a number of information sessions were held on Saba and Sint Eustatius, aimed at raising awareness of human trafficking among various stakeholders and interested parties.

48. The IOM also provided training assistance through regional meetings, sharing expertise and best practices with other countries in the Caribbean region. In 2006, in partnership with local government counterparts in the Caribbean, the IOM held a three-day workshop, the Caribbean Regional Meeting on Counter-Trafficking Strategies, to better understand the potential impact of human trafficking within the region. The meeting highlighted detailed strategies for developing regional and national counter-trafficking legislation, conducting information campaigns and providing direct assistance to victims. Participating countries included Antigua and Barbuda, Aruba, the Bahamas, Barbados, Belize, Dominican Republic, Grenada, Guyana, Haiti, Jamaica, the Kingdom of the Netherlands, the Netherlands Antilles, St Kitts and Nevis, St Lucia, Suriname, Trinidad and Tobago, and the United States. The Organisation of American States (OAS) and the Caribbean Community and Common Market (CARICOM) also took part in the event.

Cases

49. The cases that were brought to the attention of the working group on Curaçao and where action was taken (though not necessarily investigation and prosecution) concerned possible victims from Colombia, Cuba and the Dominican Republic. These cases were not heard in court for a number of reasons, including the fact that the individuals concerned did not want to press charges.

50. In Sint Maarten an Indian national was arrested in 2005 on charges that he had held three women as domestic workers at his home under deplorable conditions, without pay or annual leave. The labour office on Sint Maarten was involved in helping the women obtain the wages they were owed. The Indian national was fined USD 20,000. IOM was contacted to assist in the return of the women to their respective countries of origin.

51. In 2007, three women from the Dominican Republic ran away from a brothel on Sint Maarten because they were being mistreated. The women stated that the owner of the club had raped and assaulted them and that they had not been paid. Their passports had been taken by the owner and the women had been forbidden to leave the club. The owner was sentenced to three years in prison, of which six months were suspended. The victims were placed in a shelter and, having given their statements, were later repatriated to the Dominican Republic. The ATIP Foundation assisted the women with arrangements for the journey home.

52. A case on Curaçao concerned a corrupt immigration official and the owner of a hotel-cum-brothel. The owner had applied for visas admitting a number of women who then worked as prostitutes operating out of the hotel. Both defendants were tried in court on charges of people smuggling, corruption and falsification. Both were sentenced to twelve months in prison.

53. Another case involved a mother who allegedly sold her daughter to a brothel owner, who proceeded to pay the mother for sex with the nine-year old girl. The two suspects were arrested in 2008 and are currently being held for sexual exploitation of a minor. Their case will go to court in 2009.

54. Other instances that were deemed suspicious were not taken further due to lack of evidence.

Article 7

55. In the Netherlands Antilles women have voted in elections and stood for political office since they achieved the right to vote in 1948. The political participation of women, at both central and island level, has been a constant ever since. The Netherlands Antilles has had five female Prime Ministers. The first was appointed in 1977.

56. Two elections involving all the islands of the Netherlands Antilles were held during the reporting period: the Parliamentary election of 2006 and the Island Council elections of 2007.

Table 2 Number of women holding public office at national and island level during the period 2005-2008

| Central Government | Total Women | Total Men |
|---|--------------------|------------------|
| Parliament | 5 | 32 |
| Ministers (incl. junior ministers) | 9 | 18 |
| Island Territory of Curaçao | | |
| Island Council | 5 | 35 |

| | | |
|---|---|----|
| Executive Council | 6 | 17 |
| Island Territory of Bonaire | | |
| Island Council | 2 | 7 |
| Executive Council | 2 | 6 |
| Island Territory of Sint Maarten | | |
| Island Council | 3 | 9 |
| Executive Council | 2 | 3 |
| Island Territory of Sint Eustatius | | |
| Island Council | 1 | 4 |
| Executive Council | 1 | 1 |
| Island Territory of Saba | | |
| Island Council | 1 | 4 |
| Executive Council | 0 | 2 |

Source: Executive Councils of the Island Territories and Parliament of the Netherlands Antilles

Curaçao

57. Candidates for election to Parliament in 2006 comprised of 61 women and 161 men. Women headed the lists of three of the 14 political parties. Candidates for election to the Island Council in 2007 comprised of 54 women and 225 men. Women headed the lists of three of the eleven political parties.

Bonaire

58. Candidates for election to Parliament in 2006 comprised of four women and 18 men. Four political parties participated in the election. Candidates for election to the Island Council in 2007 comprised of 17 women and 41 men. Four political parties participated in the election.

Sint Maarten

59. Candidates for election to Parliament in 2006 comprised of 11 women and 27 men. Women headed the lists of two of the six political parties. Candidates for election to the Island Council in 2007 comprised of 16 women and 49 men. Women headed the lists of two of the six political parties.

Sint Eustatius

60. Candidates for election to Parliament in 2006 comprised of six women and 14 men. One woman headed the list of a political party. Four political parties participated in the election. Candidates for election to the Island Council in 2007 comprised of five women and 13 men. Four political parties participated in the election.

Saba

61. Candidates for election to Parliament in 2006 comprised of three women and seven men. One woman headed the list of one of the two political parties. Candidates for election to the Island Council in 2007 comprised of three women and eight men. One woman headed the list of one of the two political parties.

62. In March 2006 Emily de Jongh-Elhage became the fifth woman Prime Minister of the Netherlands Antilles. A woman was also appointed as Acting Governor General. On Curaçao, too, the Governor of the Island and the Acting Governor are women. On Sint Maarten the Acting Governor of the Island is a woman, as is the clerk to the island executive (*Eilandsecretaris*). A number of women are department heads at both central and island-government level.

63. With regard to the Netherlands Antilles' judicial system, it may be noted that the President of the Joint Court of Justice is a woman. In 2005 there were six female and 19 male judges. In 2006 and 2007 there were six female and 21 male judges. In the reporting period there were three female and ten male public prosecutors. On Curaçao there were 63 female and 117 male lawyers.

Article 8

64. Reference is made to previous reports.

65. In 2007 and 2008 the Prime Minister of the Netherlands Antilles participated in the Women Leaders' Working Group.

66. During the reporting period four men and three women from the Netherlands Antilles were seconded to the Foreign Service of the Kingdom of the Netherlands.

Article 9

67. The Netherlands Nationality Act (Bulletin of Acts and Decrees 1984, 628) contains no provisions that discriminate against women with respect to the acquisition or loss of Dutch nationality. Dutch citizenship is acquired and relinquished in the same way for both men and women. Women also have equal rights when it comes to the nationality of their children.

Article 10

68. Education in the Netherlands Antilles is accessible to all. Primary education is free but secondary education and secondary and higher vocational education are not. Students may be eligible to apply for grants.

69. In February 2006 the National Ordinance on Compulsory Youth Training (SVP) was introduced, aimed at young people aged 16 to 24. The National Ordinance offers young people who have dropped out of school another chance to gain qualifications that will help them find a job, or enable them to

return to mainstream education via a bridging class. The aim is to stop the numbers of young people in this group from growing. National and island territory authorities, schools and NGOs are all involved in implementing the scheme.

70. The project was launched with a pilot scheme involving 38 young people on Bonaire; 110 on Curaçao; 13 on Sint Eustatius; and 72 on Sint Maarten. Once the pilots had been successfully completed the training schemes proper were launched.

71. In order to maximise the impact of the Ordinance and make optimal use of existing capacity a number of schemes have been combined, e.g. raising the minimum school-leaving age, improving pre-vocational secondary education (VSBO) and making changes to secondary vocational education (SBO). The aim is to radically reduce school drop-out among young people in the 16-18 age group and to ensure that within three years it is practically non-existent. The Netherlands has made funding available for this project.

Educational reforms

72. The national objective for education in the Netherlands Antilles is:

- To ensure that all children have ready access to and can benefit from high-quality education, giving every citizen equal opportunities to achieve their full potential and participate in economic and social development.
- To ensure that all Antilleans receive a general education that allows them to participate in Antillean society and in the region and the wider world, without compromising their cultural identity.

73. An integrated and results-based Delta Plan has been drawn up, which will put in motion an innovative, focused effort to give young Antilleans a better start in life. The plan encompasses a number of programmes, which will approach the issue from various angles:

- 1 Extending compulsory schooling to apply from age four to 18, and improving enforcement.
- 2 Embedding the Youth Training Programme and maximising its impact and effect.
- 3 Making educational reforms more lasting and practicable.
- 4 Offering parenting support, thus encouraging parental involvement.
- 5 Welcoming multilingualism as a positive aspect of development.
- 6 Creating a platform for maximising the participation of young Antilleans in the employment market.

74. Within approximately five years the Delta Plan should raise the standard of educational provision for young Antilleans to an acceptable level, reforming the entire system and reducing the school drop-out and youth unemployment rates to an acceptable level. Mainstream education, the Youth Training Programme and special courses will equip young people for optimal social participation, allowing them to enter the labour force as fully-fledged citizens.

75. Over the last 10 years, in line with national educational objectives, a number of innovative processes have been introduced in the interests of achieving the standards required. The Delta Plan builds on this process of reform, which in the last five years (2003-2007) has focused on the following.

Primary education

Foundation Based Education (FO)

76. The FO system was introduced on all five islands of the Netherlands Antilles at the same time. By 2007/2008 it had been up and running for five years. Implementing FO is a major, complex operation. Given the nature of the operation, certain island-specific factors and the involvement of a range of institutions at national and island level, the process has been more successful on some islands than on others.

77. FO is non-selective and development-oriented, and able to accommodate pupils' different stages of development. There were originally three cycles. The first cycle covered ages 4-8; the second ages 8-12; and the third ages 12-14. The old year group system was replaced with heterogeneous multi-age groups. In 2005/2006 the Minister proposed certain changes in policy. As a result, the multi-age method of grouping pupils is now optional, although teachers are still required to differentiate between children in terms of the speed at which they can learn and content of lessons. There are now two cycles in FO instead of three. The first cycle covers age 4-8, and the second age 8-12. What used to be the third cycle is now the first (basic) stage of secondary education.

78. In line with a proposal by the Minister of Education and Culture, school boards may now determine the language of instruction themselves. In addition to Papiamentu (mother tongue in the Leeward Islands) and English (mother tongue in the Windward Islands) schools can also choose to give lessons in Dutch, or opt for bilingual education (Papiamentu-Dutch or English-Dutch).

79. In 2007/2008 teachers will receive special training to help them adjust to the new two-cycle system. Special teaching materials for the new system have been developed, and text books have been produced in Papiamentu to promote the language and help improve children's reading skills.

Special education

80. A policy document has been drawn up dealing with reforms to special education. The aim is to turn special schools into centres of expertise that can assist FO schools and offer them support. These proposals will need to be explored in more detail in a policy plan. Proposals have also been drawn up on accommodating special needs pupils in FO, which schools now need to elaborate on. Under the

new system, pupils with learning and behavioural difficulties will be offered the care they need to enable them to participate in FO rather than be referred to special education. Special education will only be for those who cannot participate in FO and require highly specialised supervision.

Secondary education

New-style senior general secondary education (HAVO) and pre-university education (VWO)

81. The principles behind the policy on the new-style HAVO/VWO are:

- reducing selection on the basis of social background;
- offering a coherent system of education;
- accommodating individual differences and giving weaker pupils extra attention;
- creating equality between vocational education and general secondary education.

82. HAVO and VWO are currently composed of two levels of study. The first level comprises basic secondary education plus a 'profile' year which prepares students for related courses of further training; the second (more advanced) level lasts respectively three or four years (for HAVO and VWO). During the first year of the second level students must choose from four different profiles: economics and society, science and technology; science and health; and culture and society. Each profile consists of a common component, a specialised component and an optional component offering a free choice of subjects.

83. In HAVO, the language of instruction is Dutch, which is compulsory for all students. English is also compulsory, as is Papiamentu (the language spoken by most people in the Leeward Islands). Students are also taught Spanish.

84. In VWO Dutch, English and Papiamentu are all compulsory, with a choice of Spanish, French or German. The Papiamentu course is still being developed. In the next few years more work will be required on the course for grade one teachers and on developing teaching materials. In the Windward Islands it is compulsory to study one modern language (Spanish or French) in addition to Dutch and English.

Vocational education

85. Vocational education consists of pre-vocational secondary education (VSBO) followed by secondary vocational education (SBO). In summary, the principles behind the Netherlands Antilles' vocational education policy are as follows.

- That it should build on the broad basis of general knowledge and skills provided by FO. Such general education is important for personal development and the ability to function within Antillean society, and for developing key qualifications required in the modern labour market.

- That it should equip students to make the transition from studying to working life.
- That, in a world of rapid social, economic and technological developments, it should equip students for lifelong learning in whichever profession they enter.
- That there should be no scope for rigid division between vocational education and general education, which are equally valid.
- That it should respect students' heterogeneity in terms of capacity and interests, offering more specialisation and tailor-made teaching by means of differentiated programmes, materials and teaching methods.
- That it should also be accessible to those already employed or seeking employment.

Pre-vocational secondary education (VSBO)

86. VSBO merges pre-vocational education (BVO) and junior general secondary education (MAVO). It offers training in three sectors: 1. technology; 2. care and welfare; 3. economics. VSBO strives for equal opportunities by allowing pupils to choose their vocation at a later stage, by integrating general and vocational subjects and by streaming.

87. The first two years of the four-year course focus on giving all pupils a general education. In the third year, pupils choose one of three options: the theoretical middle-management programme (TKL), the practical middle-management programme (PKL) or the basic practical programme (PBL). VSBO is not terminal education. After the fourth and final year pupils go on to secondary vocational education (SBO) or, if they so choose, HAVO.

88. One option for pupils who are falling behind is Individualised Extra Support (GEO), intended for pupils who should be capable of following VSBO programmes but are having problems doing so. Under this scheme pupils are offered extra support to successfully complete their chosen programme and gain a diploma. In order to ensure that VSBO meets these pupils' needs, special regulations have been included in the memorandum of amendment to the draft national ordinance.

89. Pupils who are struggling with VSBO, even when they have extra tuition, can switch to basic vocational training (AGO). AGO, which is in principle terminal education, prepares them for employment. It was introduced in 2005/2006.

Secondary vocational education (SBO)

90. SBO was introduced in 2004/2005, merging senior secondary vocational education (MBO), short senior secondary vocational courses (KMBO) and courses offered by the national vocational training centre FEFFIK. Two programmes are available: studying while working (a more academic

programme, aimed at TKL students) and working while studying (a more practical programme, aimed at PKL and PBL students). Programmes can be followed at four levels:

- level 1: training to assistant level (1 year)
- level 2: basic vocational training (2 years)
- level 3: professional training (3/4 years)
- level 4: middle management training (4 years)

91. There are no minimum admission requirements for the first two levels, which are suitable for PBL students. AGO students can enter SBO at level 1. PKL students can follow level 3 programmes, while TKL students can follow programmes at level 3 or 4.

Ku Kara pa Laman – Facing the Waves

92. The Ku Kara pa Laman/Facing the Waves project was set up in 2006 in response to and in continuation of a work/study programme followed by a number of FEFFIK students in spring 2004. The project has two objectives: to set up a ferry link between the Netherlands Antilles, Aruba and Venezuela, and to establish the Ku Kara pa Laman floating school, offering free education for disadvantaged young people as part of the Compulsory Youth Training programme.

93. The six-month programme gives young people aged 16 to 24 who have received little or no education the chance to study, work and live on the floating school. They have the opportunity to develop personally and professionally, improving their chances in the labour market or furthering their education. Once they have completed the course they can choose to apply for maritime training at level 1 (seaman) or, if they complete a bridging course, level 2 (officer). They can also opt to apply directly for onshore jobs, for example in the catering industry.

94. Ku Kara pa Laman is a positive project that will have long-term benefits. We cannot, however, expect to see an immediate improvement in current dropout rates. At the moment only one ship is involved in the project. However, if each ship registered with the Antillean authorities took on four young people, this could mean 1200 participants at any one time. The project thus represents a unique opportunity to make a huge contribution to solving education and employment problems in this age group. It is expected to recoup its costs fairly quickly, in terms both of the earning power of participants once they have completed the course and of commercial income from freight and passenger traffic.

Table 3 Full-time, General, Vocational and Special Education, Netherlands Antilles, 2005-2006

| Academic year: | 2005-2006 | | | |
|--|-----------|------|------------------|-------|
| | Schools | Male | Pupils Female | Total |
| Bonaire | | | | |
| Foundation Based Education cycle 1 + 2 | 5 | 870 | 947 | 1817 |
| Special Primary Education | 1 | 14 | 42 | 56 |
| Basic Secondary Education (VSBO, HAVO 1,2) | 1 | 203 | 240 | 443 |
| Senior High School (HAVO 3,4,5) | 1 | 150 | 185 | 335 |
| Pre-vocational Secondary Education (VSBO, 3,4) | 1 | 278 | 269 | 547 |
| Secondary Vocational Education (SBO) | 1 | 31 | 80 | 111 |
| Special Secondary Education (AGO) | 1 | 79 | 26 | 105 |
| Curaçao | | | | |
| Foundation Based Education cycle 1 + 2 | 104 | 8939 | 8678 | 17617 |
| Special Primary Education | 18 | 773 | 314 | 1087 |
| Basic Secondary Education (VSBO 1,2) | 20 | 1855 | 1745 | 3600 |
| Basic Secondary Education (HAVO 1,2) | 2 | 373 | 621 | 994 |
| Senior High School (HAVO/VWO 3,4,5,6) | 3 | 839 | 989 | 1828 |
| Pre-vocational Secondary Education (VSBO, 3,4) | 20 | 1268 | 1441 | 2709 |
| Secondary Vocational Education (SBO) | 5 | 1111 | 1670 | 2781 |
| Special Secondary Education (AGO, VSO, PBO) | 5 | 569 | 287 | 856 |
| Teacher Training College (APK) | 1 | - | - | 204 |
| University of the Netherlands Antilles: | 1 | | | |
| •Faculty of Law | | 84 | 152 | 236 |
| •Faculty of Social & Economic Studies | | 252 | 613 | 865 |
| •Technical Faculty | | 357 | 90 | 447 |
| •General Faculty | | 25 | 136 | 161 |
| Saba | | | | |
| Foundation Based Education cycle 1 + 2 | 1 | 44 | 62 | 106 |
| Basic Secondary Education (VSBO, CXC 1,2) | 1 | 25 | 16 | 41 |
| English Language Secondary School (CXC 3,4,5) | 1 | 18 | 21 | 39 |
| Pre-vocational Secondary Education (VSBO, 3,4) | 1 | 12 | 5 | 17 |
| Sint Eustatius | | | | |
| Foundation Based Education cycle 1 + 2 | 4 | 148 | 159 | 307 |
| Basic Secondary Education (VSBO, HAVO 1,2) | 1 | 63 | 58 | 121 |
| Pre-vocational Secondary Education (VSBO 3,4) | 1 | 40 | 41 | 81 |
| Senior High School (HAVO 3,4,5) | 1 | 3 | 4 | 7 |
| Medical University ² | 1 | 19 | 21 | 40 |
| Sint Maarten | | | | |
| Foundation Based Education cycle 1 + 2 | 17 | 1360 | 1349 | 2709 |
| Special Primary Education | 1 | 51 | 35 | 86 |

² Degree students per first semester.

| | | | | |
|--|---|-----|-----|-----|
| Basic Secondary Education (VSBO 1,2) | 3 | 403 | 428 | 831 |
| Basic Secondary Education (CXC 1,2) | 2 | 99 | 161 | 260 |
| Basic Secondary Education (HAVO 1,2) | 1 | 35 | 78 | 113 |
| Senior High School (HAVO/VWO 3,4,5,6) | 1 | 84 | 176 | 260 |
| English Language Secondary School (CXC 3,4,5) | 2 | 195 | 270 | 465 |
| Pre-vocational Secondary Education (VSBO, 3,4) | 3 | 406 | 440 | 846 |
| Special Secondary Education (AGO) | 1 | 151 | 39 | 190 |
| University of Sint Maarten ³ | 1 | 60 | 172 | 232 |

Source: Statistical Yearbook Netherlands, 2006-2007

Higher education

95. Antillean higher education policy focuses on supporting local facilities in order to fight brain drain and create a local infrastructure of highly educated people, a prerequisite for sustainable social development. There is one national university, the University of the Netherlands Antilles (UNA), plus the University of Sint Maarten (USM). A funding model is being developed to ensure that government funding is allocated to the UNA, the USM and other eligible higher education institutions simply, transparently and responsibly.

University of the Netherlands Antilles

96. The UNA has four faculties: the Faculty of Law, the Faculty of Social Sciences and Economics, the Faculty of Engineering and the Faculty of Arts. The University is keen to monitor its own policy-making processes and changes in relevant legislation, and is successfully developing an accreditation system for a number of programmes.

97. The Faculty of Arts (AF) will soon be known as the Faculty of Educational Training and Cultural Studies, and will offer four-year grade two teacher training courses in Papiamentu, English and Dutch, and an FO teacher training course.

98. There are two versions of the grade two teacher training course in Papiamentu: full-time (introduced in 2002/2003) or intensive (introduced in 2003/2004). Grade two teacher training in English was introduced in 2004/2005, with Dutch following in 2005/2006. Since 2004/2005 and 2005/2006 respectively students from Curaçao and Bonaire have been able to follow an individual learning pathway.

99. In 2006/2007 the FO teacher training course was established on Curaçao, with Bonaire following in January 2007.

³ Ibid.

100. In anticipation of the Higher Education Act, FO teacher training courses will start operating the European Credits Transfer System (ECTS). Grade two teacher training in Dutch, Papiamentu and English will follow after the 2007/2008 academic year.

101. The Faculty of Law (FdR), which works closely with a wide range of other universities and faculties, started introducing the Bachelor-Master structure in 2003/2004.

102. The Faculty of Engineering (TF) offers three main degree programmes:

- Architecture and Civil Engineering
- Information Technology and Electrical Systems
- Industrial Technology

103. The Faculty of Social Sciences and Economics (SEF) operates the European Credits Transfer System (ECTS).

Table 4 Graduates of the University of the Netherlands Antilles (UNA), 2003–2006

| University of the Netherlands Antilles Graduates | | | | | | |
|---|-------------|-------------|-------------|-------------|-------------|-------------|
| | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 |
| Faculty of Law | | | | | | |
| Male | 7 | 10 | 3 | 3 | 4 | 5 |
| Female | 11 | 17 | 12 | 14 | 18 | 15 |
| Total | 18 | 27 | 15 | 17 | 22 | 20 |
| Faculty of Social and Economic Studies | | | | | | |
| Male | 11 | 8 | 6 | 1 | 1 | 6 |
| Female | 22 | 18 | 9 | 13 | 15 | 22 |
| Total | 33 | 26 | 15 | 14 | 16 | 28 |
| Engineering Faculty | | | | | | |
| Male | 16 | 20 | 5 | 14 | 15 | 17 |
| Female | 3 | 3 | 13 | 6 | 8 | 3 |
| Total | 19 | 23 | 18 | 20 | 23 | 20 |
| Arts Faculty | | | | | | |
| Male | | | | | | 2 |
| Female | | | | | | 7 |
| Total | | | | | | 9 |
| Total | 70 | 76 | 48 | 51 | 61 | 86 |
| Male | 34 | 38 | 14 | 18 | 20 | 32 |
| Female | 36 | 38 | 34 | 33 | 41 | 54 |

Source: Statistical Yearbook of the Netherlands Antilles, 2006-2007

Akademia Pedagógiko Kòrsou (APK)

104. In 2002/2003 the APK began to develop a new curriculum for FO teacher training. Staff training began in 2003, and the programme was launched in 2004, marking the end of the old-style primary and nursery school teacher training courses.

Table 5 Students at Akademia Pedagógiko, 2003/2004

| | Male | Female | Total |
|---------------------------------|-------------|---------------|--------------|
| Primary school teacher training | 10 | 127 | 137 |
| Nursery school teacher training | 7 | 95 | 102 |
| Total | 17 | 222 | 239 |

Table 6 Students at Akademia Pedagógiko, 2006/2007

| | Male | Female | Total |
|---------------------------------|-------------|---------------|--------------|
| Primary school teacher training | 8 | 60 | 68 |
| Nursery school teacher training | 7 | 87 | 94 |
| Total | 15 | 147 | 162 |

University of Sint Maarten (USM)

105. The USM provides training at the following levels:

- Associate Degrees
 - o Associate of Arts in Business
 - o Associate of Arts in General Liberal Arts
 - o Associate of Science in Computer Science
- Bachelor Degrees
 - o Bachelor of Business Administration
 - o Bachelor of Arts in Education
- Master Degree
 - o Master of Arts in Education

- Programmes of study (non-degree programmes)
 - o Adult Enrichment Programme
 - o English as a Second Language (ESL)
 - o General Equivalency Diploma Tutorial (GED)
 - o College Preparatory Programme (CPP)
 - o Continuing Education Programme (CEP)

106. A diploma awarded under the Dutch, American, French or English education systems is required for admission.

Table 7 Graduates of the USM, 2004 – 2006

| | 2004 | 2005 | 2006 |
|--|------|------|------|
| A.A. General Liberal Arts Programme | | | |
| Male | 2 | 2 | 1 |
| Female | 8 | 15 | 15 |
| Total | 6 | 13 | 14 |
| A.A. Business Programme | | | |
| Male | 2 | 9 | 3 |
| Female | 8 | 6 | 13 |
| Total | 10 | 15 | 16 |
| A.A. Computer Science Programme | | | |
| Male | - | - | 0 |
| Female | - | - | 1 |
| Total | - | - | 1 |
| B.A. Education Programme | | | |
| Male | 0 | 0 | 0 |
| Female | 3 | 2 | 6 |
| Total | 3 | 2 | 6 |
| Bachelor of Business | | | |
| Male | 0 | 0 | 0 |
| Female | 3 | 2 | 4 |
| Total | 3 | 2 | 4 |
| Total | 22 | 32 | 41 |
| Male | 4 | 11 | 4 |
| Female | 18 | 21 | 37 |

Source: Statistical Yearbook of the Netherlands Antilles, 2006-2007

107. A number of other institutions also offer higher professional education courses, many of which are recognised by the Antillean government. These institutions often have a close working relationship with institutions in the Netherlands.

108. There are also a number of medical schools operating on a charter basis in the Netherlands Antilles:

- Bonaire: Saint James School of Medicine; Xavier University School of Medicine
- Curaçao: St Martinus University Faculty of Medicine; Caribbean Medical University
- Saba: Saba University School of Medicine

- Sint Eustatius: University of Sint Eustatius Medical School
- Sint Maarten: American University of the Caribbean School of Medicine

109. The medical schools will soon be launching an accreditation system for their courses. Preparations are well under way.

Legislation

110. A number of changes have been made to legislation in response to changes in policy:

- **Amendment to the National Ordinance on Compulsory Education**
In 1991 the National Ordinance on Compulsory Education, which then applied to 6 to 15 year-olds, came into force. In response to the changes that have since taken place the National Ordinance has been amended, so that children aged 4 to 18 are now covered. More is being done to ensure that school-aged children attend school. This means monitoring young people's progress, and offering them help if they are likely to drop out of school without basic qualifications. The amended National Ordinance on Compulsory Education, enacted by the States of the Netherlands Antilles on 22 June 2007, entered into force on 1 August 2007. By reducing the lower limit of compulsory school age the government hopes to ensure that all Antillean children receive a minimum basic education, which will lay solid foundations for future learning. Early encouragement gives children a better start, improving their chances and maximising their development potential. This is particularly true for children from deprived environments, whose parents are unlikely to sufficiently understand the importance of encouraging education at an early age. The aim of increasing the upper limit to 18 is to reduce the number of dropouts to a minimum by ensuring that all young people are trained and educated and reach at least SBO level 1. This will make it easier for them to find a job. Eighteen-year-olds who fail to reach this level will then come under the National Ordinance on Compulsory Youth Training.
- **National Ordinance on Compulsory Youth Training**
This Ordinance applies to young people aged 16 to 24, a large proportion of whom drop out of secondary education before they get their diploma. The Ordinance addresses this problem by laying down regulations on schooling and training, giving this target group a second chance to attain a level of education that will allow them to succeed in the labour market.

Financial assistance for students

111. The government that was in office between 1999 and 2002 decided to decentralise the national student finance system. Each island territory subsequently introduced its own system (except Curaçao, where the Curaçao Student Finance Foundation (Stichting Studiefinanciering Curaçao, or SSC) had already been set up in 1990).

112. In 2004 Bonaire established the Bonaire Student Finance Foundation (Fundashon Finansiamentu di Estudio di Bonaire, or FINEB). On Sint Maarten the island executive is responsible for student finance, while national government is responsible for Saba and Sint Eustatius. Student finance is available for those studying at SBO, HBO or university level on Curaçao, in the Netherlands or in the Caribbean/United States.

SSC

113. As of 2006/2007 the SSC has operated a new student finance system for anyone wishing to attend an SSC-recognised institute on Curaçao, in the region⁴ or in the Netherlands. Students who were already receiving grants prior to 2006/2007 do not fall under the new system. The new system, also known as basic funding, consists of a basic grant, a supplementary grant and a basic loan. It is intended to cover tuition or school fees, text books, public transport and insurance.

114. Under the new system, all students are entitled to 30% of a standard amount, regardless of their parents' incomes. This is the basic grant.

115. The SSC assumes that, on top of the basic grant, parents will contribute a further 30% of essential study costs. If parents do not earn enough to do this, the government will provide a supplementary grant covering part, or all, of this contribution. The basic grant and the supplementary grant are subject to the same conditions and constitute, in effect, a performance-related grant given to the student for the nominal duration of their course. If the students reach certain targets, they will only have to repay part of the grant.

116. The basic loan is an optional extra available in addition to the basic grant and the supplementary grant. Students are charged interest on the basic loan.

117. As long as they meet certain conditions, students can also apply for:

- an *extra student loan*, to cover the costs of extra study materials, extra costs incurred through participating in courses run by SSC-registered institutions, travel costs, costs of specialist equipment and personal costs. This loan is dependent on parental income;
- an *accommodation allowance* to cover the costs of renting a room from an SSC-registered agency. This allowance is dependent on parental income, and is available to students following an HBO course on Curaçao or in the region;

⁴ 'The region' refers to the Caribbean and the United States. Due to a lack of funding, financial assistance for students was limited to Aruba a few years ago. As of 2006/2007 the SSC has been gradually enlarging options for study in the region. In 2007/2008 it introduced financial assistance for those following certain courses (agriculture and tourism) at the University of the West Indies (UWI) in Trinidad and Tobago. Students can also study for a grade two teaching qualification at the Instituto Pedagógico Arubano (IPA).

- a *supplementary student loan*, which can only be applied for once the period covered by the performance-related grant has come to an end. It can be paid out for up to two years. Students will be charged interest on this loan. Parents, legal representatives and/or partners of students in the Netherlands will be required to pay them a parents' or partner's contribution.

118. Students who are not eligible for basic funding but still wish to study can apply for an *exceptional student loan*. This is only available for courses run by SSC-registered 'second-chance' educational institutions on Curaçao.

FINEB

119. The Bonaire Student Finance Foundation (Fundashon Finansiamentu di Estudio di Bonaire, or FINEB) is still in the process of being set up and currently only provides student grants for study on Bonaire, Curaçao, Aruba and in the Netherlands. Until recently students wishing to complete their school leaving examination (class 6) at VWO level elsewhere in the Netherlands Antilles were eligible for an allowance towards their study costs. Students are now able to complete VWO on Bonaire.

Public-authority schools, government-funded private schools and non-government-funded private schools

120. There are a number of different types of schools in the Netherlands Antilles. As well as schools run by the island authorities (public-authority schools) there are also schools based on the principles of certain faiths or philosophies, run by an independent school board (government-funded private schools) and, on Curaçao, non-government-funded private schools providing primary and secondary education. The latter schools either comply with the minimum educational requirements set by the Antillean educational system, or operate in accordance with the Dutch or American system. Examples include the Schroeder School, the Vespucci College, the Abel Tasman College and the International School, all based on Curaçao.

Article 11

The process of social dialogue

121. Employers' organisations and unions on Curaçao and Sint Maarten have been engaged in social dialogue for some time. On Curaçao, the two sides have reached agreement on subjects that divided them for decades.

122. All stakeholders, including representatives of workers and employers, are currently involved in developing a new labour market policy for Curaçao with the aim of increasing job opportunities for young people and adults, improving labour productivity, and developing a globally competitive and skilled workforce.

123. Kolaborativo (the name of this platform reflects the need for collaboration between all the parties involved) is a platform which brings together representatives of employers, workers and the government of Curaçao to address and reach agreement on nationally important issues like labour market policies and working conditions.

124. In January 2008, Kolaborativo organised the Labour Force Development National Dialogue with Sir Roy Trotman, President of the ILO Coalition of Trade Union and Staff Associations of Barbados, as keynote speaker. There were also working group presentations on productivity and efficiency measures, the status of temporary and casual workers and the gap between the education system and the labour market. During the conference, Denmark and Barbados were put forward as examples of best practice, as they have flexible and open labour markets which enhance overall productivity growth and offer a decent national minimum wage.

125. On Sint Maarten a mediating committee, formed from parties involved in the Labour Summit Joint Committee, was established in May 2006 and reached agreement on improving the dialogue between social partners and, by extension, social and economic conditions on Sint Maarten. The committee members, representatives of unions, employers' organisations and the government of Sint Maarten, agreed specifically to:

- increase the minimum wage to ANG 7.79 per hour – approximately USD 4.28 – as of November 2006. Sint Maarten now has the highest minimum wage on the Netherlands Antilles;
- reduce the government surtax on wage and income taxes from 30% to 25% as of January 2007;
- continue to examine ways of making the labour market more flexible, while guaranteeing workers' protection. Special attention will be paid to the local and Antillean labour force and to the use of short-term contracts in various sectors;
- establish a tripartite committee, under the aegis of the Executive Council, on 1 July 2006. The committee will meet periodically to discuss various aspects of a labour market policy plan for Sint Maarten, including:
 - o training and/or re-training of workers (employed/unemployed);
 - o migrant workers and related issues (documented/undocumented);
 - o youth unemployment;
 - o cost-of-living adjustments.

The Joint Court of Justice Commission on Revision of the Civil Code

126. The Commission on Revision of the Civil Code, which is supervised by the Minister of Justice and falls under the Joint Court of Justice of the Netherlands Antilles and Aruba, was installed some years ago. So far, Books 1, 2, 3, 4 and 6 of the Antillean Civil Code have been revised.

127. The Commission recently sent a draft revision of Book 7 of the Civil Code concerning labour agreements to all relevant stakeholders (the island councils of Bonaire, Curaçao, Sint Maarten, Sint Eustatius and Saba, the unions, employers' organisations and bar associations on each of the islands) and invited them to give their feedback. The revision of Book 7 will probably be adopted before the end of 2009.

128. One proposed amendment concerns Article 7:646 (Division 4) on the equal treatment of men and women. For lack of a statutory basis, the Joint Court of Justice long based legal protection in gender-related issues on case law. In the future, Article 7:646 in the new Civil Code will provide a statutory basis for gender equality on the work floor.

129. The new Code defines indirect discrimination and direct discrimination, and sets out exceptions to the equal treatment rule – the preferential treatment of female workers, or positive gender discrimination – in Articles 18 and 19. Together, these provisions assure the legal protection of female workers. The case law on which gender equality has long been based will thus finally be codified.

Draft Ordinance on Equal Treatment

130. Besides the guarantees of equal treatment provided by the Ordinance Employment, a new draft Ordinance on Equal Treatment was drawn up in November 2006. In view of the forthcoming constitutional changes, however, the Antillean government decided to focus, first, on reducing the high youth unemployment rate (from 44% in 2005 to 37% in 2007) through the implementation of the National Ordinance on Compulsory Youth Training (Official Bulletin 2005, no. 72 and 2006, no. 26).

Key labour market data for the Netherlands Antilles

131. Figures on the labour force, participation rate and unemployment rate are shown below in separate tables for the islands of Curaçao, Bonaire and Sint Maarten. The figures are also differentiated by gender, gross monthly income, and employment status.

132. Table 6 shows that the labour force on Curaçao grew between 2002 and 2006. As the total population grew faster than the labour force, the participation rate decreased slightly.

Table 8 Labour force, participation rate and unemployment rate on Curaçao

| | | 2002 | 2003 | 2004 | 2005 | 2006 |
|------------|--------------------|---------|---------|---------|---------|---------|
| 1 | Employed | 49,056 | 52,137 | 51,474 | 51,343 | 53,797 |
| 2 | Jobseekers | 9,056 | 9,274 | 9,861 | 11,392 | 9,241 |
| 3 (1+2) | Labour force | 58,112 | 61,411 | 61,335 | 62,735 | 63,038 |
| 4 | Total population | 127,893 | 130,191 | 132,207 | 135,474 | 138,027 |
| 5 (3:4) | Participation rate | 45% | 47% | 46% | 46% | 46% |
| 6 (2:3) | Unemployment rate | 16% | 15% | 16% | 18% | 15% |

Source: Directorate of Labour Affairs of the Netherlands Antilles

133. On Bonaire, the labour force increased between 2002 and 2006, which resulted in a lower number of jobseekers. Remarkably, the participation rate on the island was 52% in 2006, six per cent higher than on Curaçao, which is a much larger island.

Table 9 Labour force, participation rate and unemployment rate on Bonaire

| | | 2002 | 2004 | 2006 |
|---------|--------------------|-------|--------|--------|
| 1 | Employed | 4,334 | 4,661 | 5,647 |
| 2 | Jobseekers | 571 | 456 | 481 |
| 3 (1+2) | Labour force | 4,905 | 5,117 | 6,128 |
| 4 | Total population | 9,928 | 10,432 | 11,793 |
| 5 (3:4) | Participation rate | 49% | 49% | 52% |
| 6 (2:3) | Unemployment rate | 12% | 9% | 8% |

Source: Directorate of Labour Affairs of the Netherlands Antilles

134. On Sint Maarten, the number of employed grew by almost 2000 between 2003 and 2005, causing unemployment to fall to 13%. The island's high participation rate, 58% in 2005, is due to the influx of migrant workers. Sint Maarten has the highest percentage of migrant workers in the Netherlands Antilles, many of whom come without their families. This boosts the island's participation rate.

Table 10 Labour force, participation rate and unemployment rate on Sint Maarten

| | | 2003 | 2005 |
|---------|--------------------|--------|--------|
| 1 | Employed | 16,200 | 18,073 |
| 2 | Jobseekers | 3,433 | 2,798 |
| 3 (1+2) | Labour force | 19,633 | 20,871 |
| 4 | Total population | 33,317 | 35,910 |
| 5 (3:4) | Participation rate | 59% | 58% |
| 6 (2:3) | Unemployment rate | 18% | 13% |

Source: Directorate of Labour Affairs of the Netherlands Antilles

135. There are now almost as many women in employment as men. The number of male jobseekers dropped sharply between 2005 and 2006, with a similar decline in unemployment among men (11%). The female unemployment rate also fell by 1.5% in 2006 compared to 2005. Women's participation in the workforce is, however, lower than men's. The difference between the number of men and women in the total population remained constant because the male and female populations increased equally in the past year.

Table 11 Key labour market data for men and women, Curaçao

| | | 2002 | | 2003 | | 2004 | |
|---------|--------------------|--------|--------|--------|--------|--------|--------|
| | | Men | Women | Men | Women | Men | Women |
| 1 | Employed | 25,206 | 23,850 | 26,606 | 25,530 | 25,283 | 26,192 |
| 2 | Jobseekers | 4,120 | 4,936 | 4,002 | 5,272 | 4,498 | 5,362 |
| 3 (1+2) | Labour force | 29,326 | 28,786 | 30,608 | 30,802 | 29,781 | 31,554 |
| 4 | Total population | 59,206 | 68,689 | 59,664 | 70,527 | 60,445 | 71,762 |
| 5 (3:4) | Participation rate | 50% | 42% | 51% | 44% | 49% | 44% |
| 6 (2:3) | Unemployment rate | 14% | 14% | 13% | 17% | 15% | 17% |
| | | 2005 | | 2006 | | | |
| | | Men | Women | Men | Women | | |
| 1 | Employed | 25,316 | 26,027 | 27,033 | 26,764 | | |
| 2 | Jobseekers | 5,227 | 6,165 | 3,469 | 5,772 | | |
| 3 (1+2) | Labour force | 30,543 | 32,192 | 30,502 | 32,536 | | |
| 4 | Total population | 61,871 | 73,603 | 63,070 | 74,957 | | |
| 5 (3:4) | Participation rate | 49% | 44% | 48% | 43% | | |
| 6 (2:3) | Unemployment rate | 17% | 19% | 11% | 18% | | |

Source: Directorate of Labour Affairs of the Netherlands Antilles

Table 12 Key labour market data for men and women, Bonaire

| | | 2002 | | 2004 | | 2006 | |
|---------|--------------------|-------|-------|-------|-------|-------|-------|
| | | Men | Women | Men | Women | Men | Women |
| 1 | Employed | 2,195 | 2,138 | 2,266 | 2,395 | 2,941 | 2,706 |
| 2 | Jobseekers | 290 | 281 | 207 | 253 | 205 | 276 |
| 3 (1+2) | Labour force | 2,485 | 2,419 | 2,473 | 2,648 | 3,146 | 2,982 |
| 4 | Total population | 4,752 | 5,176 | 4,999 | 5,437 | 5,734 | 6,066 |
| 5 (3:4) | Participation rate | 52% | 47% | 50% | 49% | 55% | 49% |
| 6 (2:3) | Unemployment rate | 12% | 12% | 8% | 10% | 7% | 9% |

Source: Directorate of Labour Affairs of the Netherlands Antilles

136. On Sint Maarten, the number of men and women in employment each increased by about 1,000 between 2003 and 2005. The reduction in number of jobseekers is almost equally divided between men and women. The unemployment rate for both men and women decreased by about four per cent.

Table 13 Key labour market data for men and women, Sint Maarten

| | | 2003 | | 2005 | |
|---------|--------------------|--------|--------|--------|--------|
| | | Men | Women | Men | Women |
| 1 | Employed | 8,780 | 7,419 | 9,714 | 8,359 |
| 2 | Jobseekers | 1,545 | 1,888 | 1,194 | 1,604 |
| 3 (1+2) | Labour force | 10,325 | 9,307 | 10,980 | 9,963 |
| 4 | Total population | 16,203 | 17,114 | 17,303 | 18,607 |
| 5 (3:4) | Participation rate | 64% | 54% | 63% | 54% |
| 6 (2:3) | Unemployment rate | 15% | 20% | 11% | 16% |

Source: Directorate of Labour Affairs of the Netherlands Antilles

Table 14 Gross monthly income of employed men and women, Bonaire

| ANG | 2004 | | | 2006 | | |
|--------------|--------------|--------------|--------------|----------|----------|--------------|
| | Men | Women | Total | Men | Women | Total |
| 500 or less | 92 | 215 | 307 | - | - | 264 |
| 501 - 1000 | 104 | 370 | 474 | - | - | 465 |
| 1001 - 1500 | 492 | 558 | 1,050 | - | - | 1,161 |
| 1501 - 2000 | 484 | 322 | 806 | - | - | 894 |
| 2001 - 2500 | 298 | 313 | 611 | - | - | 733 |
| 2501 - 3000 | 172 | 201 | 373 | - | - | 425 |
| 3001 - 5000 | 369 | 255 | 624 | - | - | 1,029 |
| 5000 plus | 166 | 87 | 253 | - | - | 441 |
| Unknown | 89 | 74 | 163 | - | - | 235 |
| TOTAL | 2,266 | 2,395 | 4,661 | - | - | 5,647 |

Source: CBS Labour Force Sample Survey

Table 15 Gross monthly income of employed men and women, Curaçao

| ANG | 2005 | | | 2006 | | |
|--------------|---------------|---------------|---------------|---------------|---------------|---------------|
| | Men | Women | Total | Men | Women | Total |
| 500 or less | 1,054 | 2,190 | 3,244 | 1,064 | 1,887 | 2,951 |
| 501 - 1000 | 2,650 | 4,188 | 6,838 | 2,325 | 4,999 | 7,324 |
| 1001 - 1500 | 5,099 | 5,366 | 10,465 | 5,306 | 5,232 | 10,538 |
| 1501 - 2000 | 3,137 | 2,786 | 5,923 | 4,117 | 2,763 | 6,880 |
| 2001 - 2500 | 2,302 | 1,771 | 4,073 | 2,396 | 2,195 | 4,591 |
| 2501 - 3000 | 1,709 | 1,653 | 3,362 | 1,957 | 2,180 | 4,137 |
| 3001 - 5000 | 4,158 | 4,968 | 9,126 | 4,887 | 4,796 | 9,683 |
| 5000 plus | 3,858 | 1,863 | 5,721 | 3,594 | 1,681 | 5,275 |
| Unknown | 1,349 | 1,242 | 2,591 | 1,387 | 1,029 | 2,418 |
| TOTAL | 25,316 | 26,027 | 51,343 | 27,033 | 26,764 | 53,797 |

Source: CBS Labour Force Sample Survey

Table 16 Gross monthly income of employed men and women, Sint Maarten

| ANG | 2003 | | | 2005 | | |
|--------------|--------------|--------------|---------------|--------------|--------------|---------------|
| | Men | Women | Total | Men | Women | Total |
| 500 or less | 301 | 713 | 1,014 | 233 | 413 | 646 |
| 501 – 1000 | 716 | 1,447 | 2,163 | 538 | 1,156 | 1,694 |
| 1001 - 2000 | 2,070 | 1,746 | 3,816 | 3,821 | 3,443 | 7,264 |
| 2001 - 2500 | 1,780 | 992 | 2,772 | 1,437 | 902 | 2,339 |
| 2501-3000 | 1,810 | 1,088 | 2,898 | 974 | 670 | 1,644 |
| 3001-5000 | 1,410 | 893 | 2,303 | 1,377 | 1,353 | 2,730 |
| 5000 plus | 618 | 362 | 980 | 1,045 | 275 | 1,320 |
| Unknown | 76 | 178 | 254 | 289 | 147 | 436 |
| TOTAL | 8,781 | 7,419 | 16,200 | 9,714 | 8,359 | 18,073 |

Source: CBS Labour Force Sample Survey

Table 17 Workers by employment status and sex

| | Bonaire ¹⁾ | | | Curaçao ¹⁾ | | | St. Maarten ²⁾ | | |
|-------------------------|-----------------------|--------------|--------------|-----------------------|---------------|---------------|---------------------------|--------------|---------------|
| | Men | Women | Total | Men | Women | Total | Men | Women | Total |
| Employer/ Self-employed | 437 | 222 | 659 | 5,221 | 1,656 | 6,877 | 1,645 | 619 | 2,264 |
| Permanent service | 1,659 | 1,743 | 3,402 | 15,109 | 18,125 | 33,234 | 6,086 | 6,140 | 12,226 |
| Temporary service | 243 | 140 | 383 | 1,912 | 2,331 | 4,243 | 804 | 586 | 1,390 |
| Casual worker | 296 | 1,65 | 461 | 2,835 | 2,021 | 4,856 | 362 | 217 | 579 |
| Contract | 275 | 348 | 623 | 1,804 | 2,283 | 4,087 | 691 | 652 | 1,343 |
| Other | 22 | 73 | 95 | 103 | 290 | 393 | 45 | 73 | 118 |
| Unknown | 9 | 15 | 24 | 49 | 58 | 107 | 81 | 72 | 153 |
| TOTAL | 2,941 | 2,706 | 5,647 | 27,033 | 26,764 | 53,797 | 9,714 | 8,359 | 18,073 |

Source: 1) CBS Labour Force Sample Survey,2006; 2) CBS Labour Force Sample Survey,2005

137. The Sickness Insurance Act applies to all employees whose income is below a certain limit. For 2007, the limit was set at ANG 4,145.70 (equivalent to USD 2,303).

138. In January 2007, the Antillean Parliament approved an increase of ANG 100 in the old-age pension. In consequence, the total pension contribution increased from 10% to 11.5% in 2007 and, in 2008, to 13%. Since July 2005, those who only receive a state pension have received an additional ANG 100 per month from the island territory.

139. The old-age insurance contribution is 5.25% of the employee's income. No contribution is payable on income in excess of ANG 49,745.83 per year. The contribution is deducted by the employer and remitted to the Social Insurance Bank (SVB). Applications for review may be lodged with the Court of the island territory.

140. The widow(er)'s pension varies from ANG 303 to 654 depending on age. A widow(er) with one or more children receives the maximum amount. The orphan's pension varies from ANG 219 to 302 depending on age, whether the person is disabled or enrolled in full-time education and whether he/she is categorised as half orphan or full orphan. On remarriage, the widow(er) who is entitled to such a pension receives a lump sum representing one year's pension. On the death of the widow(er) receiving the pension, an eligible dependant receives a sum equal to three months' pension allowance.

141. Widow(er)'s pension contributions are paid by the employee and the employer equally and amount to 1% of the employee's income. No contribution is payable on income in excess of ANG 49,745.83 per year. The employer deducts the contributions and remits them to the Social Insurance Bank. The government pension fund provides for pensions for widow(er)s and orphans of government employees and civil servants. The amount depends on the last pay received and is supplemented by a cost-of-living allowance.

Maternity leave

142. Article 1614ca of the Civil Code that came into effect on 29 April 1999 entitles pregnant employees to pregnancy and maternity leave with full pay. The Netherlands Antilles thus provides for a minimum period of pregnancy and maternity leave for all female employees, irrespective of their income.

143. In addition to this provision, the Sickness Insurance Ordinance requires employers to pay the female worker full wages throughout the period of pregnancy and maternity leave. If the employee is insured through the Social Insurance Bank (SVB), the employer will be reimbursed 80% of her wages during the period of leave.

144. Employees are entitled to 100% paid leave from at least 4 weeks but no more than 6 weeks before the expected due date ('pregnancy leave') and a minimum of 6 weeks but no more than 8 weeks after delivery ('maternity leave'). Pregnancy and maternity leave together will always be at least 12 weeks. The employee may choose the date on which pregnancy leave starts, taking into account the expected due date as determined by a doctor, obstetrician or medical specialist. If the employee takes 6 weeks of pregnancy leave, she is thus entitled to 6 weeks of maternity leave; 5 weeks of pregnancy leave entitles her to 7 weeks of maternity leave; 4 weeks of pregnancy leave entitles her to 8 weeks of maternity leave. Irrespective of the actual duration of pregnancy leave, based on the actual delivery date, maternity leave always has a minimum duration of 6 weeks.

145. The Parliament of the Netherlands Antilles is in the process of approving an extension of maternity leave from 12 weeks to 14 weeks. If passed, it will also allow pregnant women to decide how they want to take their pregnancy and maternity leave (number of weeks before and after delivery, respectively).

146. A Maternity Protection Commission was established in April 2008. This Commission is made up of representatives of the Labour Affairs Department and the Public Health Department of the Netherlands Antilles, and Curaçao's Medical and Public Health Care Service. The Commission's main

objective is to ensure that maternity protection is in accordance with ILO Convention 183. Before its first meeting, a comparative study was made of the maternity protection provided in various countries and regions, and a terminology list was compiled by the Labour Affairs Department. The Commission will first concentrate on the extension of maternity leave before moving on to other health protection issues.

Article 12

147. Health care policy has devolved to the island territories. Reasonable primary health care is available on Saba and Sint Eustatius. People requiring specialist care are sent to other islands. More services are available on Bonaire; in recent years policy has focused on meeting people's healthcare needs as locally as possible, as effectively as possible.

148. Sint Maarten has for some time been investing in improving the quality of care and making more specialist treatment available, in response to the public's needs. The intention is that it will introduce its own general insurance system, independent of the Social Insurance Bank. Curaçao has been looking at introducing a general health insurance system for some years, but this has not yet been finalised.

149. The most recent survey on the state of the nation's health took place 15 years ago (none have taken place since due to lack of funding). It concluded that women, the elderly and people from lower socioeconomic classes suffered from poorer health and were less likely to make use of healthcare facilities.

150. The current situation is as follows. Perinatal mortality is high in the Netherlands Antilles. This is caused by the high incidence of toxæmia (eclampsia and pre-eclampsia). Incidences of hypertension and diabetes mellitus in pregnant women are a contributing factor, as is the fact that too many women wait until their pregnancy is advanced before consulting a doctor.

151. The percentage of babies and children vaccinated against diphtheria, whooping cough, tetanus, polio and measles varies from island to island. On Saba 100% of children are vaccinated; on Sint Eustatius, 98%. Around 95% are vaccinated on Curaçao and Bonaire, while on Sint Maarten the rate is somewhere between 60% and 80%.

152. Not everyone has equal access to health care. People from lower socioeconomic classes face longer waiting lists, there are class differences in hospital and limited access to non-essential treatments. On Sint Maarten around 30% of the population has no medical insurance. This is due partly to large numbers of unregistered aliens, and to the fact that some people neither qualify for a *PP-kaart* (entitling the holder to free medical treatment) nor earn enough to pay for private insurance. The rising costs of healthcare in Curaçao demand that new measures be taken to set up a manageable system for buying in medical care. This will become an increasing problem as the population ages and the number of people of working age contributing to costs declines. This is compounded by the fact that various groups of people with insurance require ongoing care, and there is little incentive to

economise. Given the precarious financial situation, the cost of health care is high; on Curaçao it amounts to around 12% of GDP.

153. A large proportion of the costs are generated by the main hospital on the island, and by specialist care. Various studies have emphasised the fact that specialists do not have strong ties to the hospitals they work in, and often have their own practices in addition to their hospital work. The island territory of Curaçao's policy is not only to tackle the necessary physical renovation of hospitals, but also to integrate specialist and hospital care. The objective is not only to achieve greater efficiency, but also improve the quality of care offered. Another issue is the fact that the provision of care is not sufficiently well regulated. For example, there is a surplus of GPs on Curaçao (where there are twice as many per head of the population as in the Netherlands – not all of them are qualified), and more than one company offering expensive MRI scans. Care for those who cannot afford it or who are of limited means is fully subsidised, with no clear limit. Another complication is that the two main bodies responsible for purchasing care (the Medical Expenses Office and the Social Insurance Bank) operate independent, complex pricing systems.

154. The following management measures, some of which are taken from the 2007-2010 programme for restructuring health care, should be implemented between 2008 and 2010.

- a) Introducing a basic care package for every citizen, clearly setting out their rights and establishing standard prices, as the first step towards introducing General Health Insurance (AZV). A possible merger between the Social Insurance Bank (SVB) and the Medical Expenses Office (BZV) is currently under discussion.
- b) Drawing up a management plan for pooling and standardising the purchase (by SVB and BZV and, eventually, the new agency) of GP's services and specialist medical care, on the basis of standardised principles and prices.
- c) Introducing measures to lower the price of medicines, including:
 - a standard reimbursement for each item on a prescription;
 - stimulating the use of generic medicines (making a possible saving of ANG 10,000,000 a year);
 - excluding certain medicines from insurance cover, such as over-the-counter cold and flu remedies.
- d) Introducing new statutory regulations covering the number of workers and capital goods on the market, to limit numbers and safeguard quality (e.g. compulsory certificates for GPs).
- e) Ensuring that communication takes place, and that preventative policies and transparency of information are standard. This will result in increased awareness, a change in patients'

behaviour patterns (which are often culturally determined) and, thus, a reduction in consumption of health services.

155. Various healthcare projects have been approved under the island's Socio-Economic Initiative (SEI) programme and will be implemented between 2008 and 2010.

156. As part of the Curaçao Socioeconomic Initiative (SEI) a number of healthcare projects have been approved (see below). They will be introduced in the period 2008–2010, along with a number of reforms and measures designed to permanently improve the economic structure and reduce social disadvantage on Curaçao. The SEI will also work on a number of administrative reforms which, in the light of Curaçao's imminent autonomous status, are vital if quality and continuity in government are to be guaranteed. Finally, other initiatives will improve the functioning of the labour market, benefiting economic and social objectives alike.

157. The following healthcare projects have been approved:

a) Antillean Institute for Health Research

This project will support the establishment of an Antillean Institute for Health Research (AIHR) which will provide scientific data to support decision making on healthcare provision, funding and policy.

b) Integration of specialist and hospital care

This project will make a start on the necessary organisational changes for integrating specialist and hospital care in the new hospital. It will also look at possible solutions to the problem of consultants' private practices (the 'ofisinas')

c) Policy document on the structure of healthcare provision

The policy document will describe how the healthcare system is to be restructured, including the introduction of general health insurance.

d) Psychosocial rehabilitation

This project aims to create step-up jobs and a clubhouse for people with mental impairment.

e) Electronic patient database

This project will determine the type of information to be included in the electronic patient database and the introduction of an integrated electronic system for monitoring child development.

f) Investigation into the psychosocial health of the population of Curaçao

g) Integral prevention

This project aims to develop both structural policy and initiatives in the area of prevention. The government of the Netherlands Antilles acknowledges the inadequacy of existing environmental legislation. Environmental standards have been laid down for priority areas (refineries, public utilities, waste treatment plants), but these have not yet taken effect pending the entry into force of the National Ordinance on Environmental Principles. Currently, when there is a threat to public health and/or the environment, the authorities can take action under various other island ordinances, such as the Waste Products Ordinance, the Nuisance Ordinance and the Police Ordinance. The island territories however do not have enough staff to enforce compliance.

158. With regard to preventing, controlling and treating epidemic and endemic diseases, Curaçao has taken various steps to combat chronic disease, such as introducing an anti-obesity policy. In addition, research has been proposed into the effect of atmospheric pollution from the Isla refinery on children's lungs. Observation and early warning systems are in place to control an outbreak of dengue fever. Various non-governmental organisations (NGOs) are working on HIV/AIDS prevention and awareness, but are hampered by lack of coordination and the high number of regional and international organisations already active in this field (the Caribbean Epidemiology Centre (CAREC), the Pan Caribbean Partnership Against HIV/AIDS (PANCAP), the Pan American Health Organisation (PAHO), the Joint United Nations Programme on HIV/AIDS (UNAIDS) and the World Health Organisation (WHO)), which together set a wide range of requirements.

159. One major problem facing the Netherlands Antilles' health system is the fact that the country cannot access international funding. This is because it is not an independent country and, as part of the Kingdom of the Netherlands, is not considered to be a developing country. It also receives no health funding from the Dutch government because it is not one of the priorities specified in the development relationship. When the constitutional changes take place the BES islands (Bonaire, Sint Eustatius, Saba) will receive this support. It is uncertain what will happen with Curaçao and Sint Maarten.

Health information and education

160. Health information for adolescents is disseminated via schools, the media, flyers and informative meetings for the general public.

161. On Curaçao, the Medical and Public Health Care Service provides teaching packs to schools covering a range of health issues, from 'Hygiene', 'Growing up', 'Sexuality' and 'What is a teenager?' to 'What's wrong with this child?'

162. On Sint Maarten, consistent information about sexual behaviour and nutrition is provided in various modules. Two projects specifically target teenage girls: 'Cry for summer', an introductory teaching pack about HIV/AIDS for primary schools and 'Girl Power' which aims to boost girls' self-esteem.

163. On Sint Eustatius, health education is undertaken jointly by schools and the health service. Since 2004, health education at primary schools has been provided by a school nurse. An HIV/STD coordinator also works with schools. The health service and the University of Sint Eustatius School of Medicine also produce radio shows on health issues.

164. In the Netherlands Antilles, contraceptives can be purchased at drugstores and pharmacies or obtained at low cost from organisations like the Planned Parenthood Foundation (Stichting Famia Plania) on Curaçao. On Bonaire, affordable contraception can be obtained from the information and prevention unit of the Health Care and Hygiene Service. On Sint Maarten, condoms can be obtained free of charge from the Health Service, which also provides contraceptive information. Sint Maarten's Family Life Foundation (previously known as the Family Planning Foundation) has also been reactivated. The Sint Eustatius Health Service works closely with the Planned Parenthood Foundation on Curaçao in providing contraceptives at a lower price than local pharmacies.

HIV/AIDS

165. On Curaçao, information campaigns on sexually transmitted diseases are run by the child and youth care services and implemented at schools and community centres. The Curaçao AIDS Foundation also coordinates awareness-raising campaigns. The Medical and Public Health Care Service (GGD) is currently developing a new disease registration form for doctors in the Netherlands Antilles that will ensure more accurate data is obtained on various diseases, including HIV infection. HIV may become a notifiable condition in the future.

166. On Saba, various care agencies and organisations like the AIDS Support Group and the Saba women's organisation organise lectures at schools and community centres to increase young people's awareness of potential health threats. The lectures are held sporadically and focus primarily on sexually transmitted diseases rather than physical violence.

HIV/AIDS data

167. The cumulative data in the table below are based on HIV registration by laboratories on the five islands of the Netherlands Antilles during the period 1985 to 2007. A total of 1,812 cases of HIV infection were registered in the Netherlands Antilles during this time. No information can be given as to how many HIV-infected individuals are now deceased, as the data systems for mortality and HIV infection cannot be merged. Of the 1,812 individuals diagnosed with HIV, 1,035 (57.1%) are men and 777 (42.9%) women. Since 1990, the incidence of HIV infection in the Netherlands Antilles has averaged about 85 per year. Curaçao and Sint Maarten have higher HIV incidence rates, with 1,184 (65.3%) and 579 (48.9%) of all registered cases, respectively. With regard to individuals' ages at the time of diagnosis, 64.2% of registered HIV cases were diagnosed in individuals aged 25-44 years, 3.5% of infected individuals were younger than 15 at the time of diagnosis, while 9.3% were 15-24 years. The mean age at which HIV was diagnosed was 36.0 years; the mean age of men at the time of diagnosis was 38.03 years and of women, 39.9 years.

Table 18 Cumulative number of diagnosed HIV cases by island and gender in the Netherlands Antilles, 1985-2007

| Gender | Bonaire | Curaçao | Saba | Sint Eustatius | Sint Maarten | Netherlands Antilles |
|---------------|----------------|----------------|-------------|-----------------------|---------------------|-----------------------------|
| Men | 19 | 683 | 4 | 7 | 322 | 1,035 |
| Women | 13 | 501 | 3 | 3 | 257 | 777 |
| Total | 32 | 1,184 | 7 | 10 | 579 | 1,812 |

Source: Epidemiology & Research Unit, Public Health Care Service, Curaçao

Table 19 Incidence of HIV diagnosis in 2007 by island and gender in the Netherlands Antilles

| Gender | Bonaire | Curaçao | Saba | Sint Eustatius | Sint Maarten | Netherlands Antilles |
|---------------|----------------|----------------|-------------|-----------------------|---------------------|-----------------------------|
| Men | 4 | 29 | 0 | 0 | 14 | 47 |
| women | 0 | 21 | 0 | 0 | 15 | 36 |
| Total | 4 | 50 | 0 | 0 | 36 | 83 |

Source: Epidemiology & Research Unit, Public Health Care Service, Curaçao

Table 20 Annual incidence of HIV diagnosis by island in the Netherlands Antilles, 1985-2007

| Year | Bonaire | Curaçao | Saba | Sint Eustatius | Sint Maarten | Netherlands Antilles |
|-------------|----------------|----------------|-------------|-----------------------|---------------------|-----------------------------|
| 1985 | 0 | 9 | 0 | 0 | 0 | 9 |
| 1986 | 0 | 34 | 0 | 1 | 11 | 46 |
| 1987 | 0 | 40 | 0 | 2 | 12 | 54 |
| 1988 | 1 | 51 | 0 | 1 | 27 | 80 |
| 1989 | 1 | 47 | 1 | 0 | 29 | 78 |
| 1990 | 3 | 58 | 3 | 0 | 49 | 113 |
| 1991 | 0 | 50 | 0 | 0 | 30 | 80 |
| 1992 | 0 | 37 | 0 | 2 | 32 | 71 |
| 1993 | 1 | 47 | 0 | 0 | 31 | 79 |
| 1994 | 0 | 37 | 0 | 0 | 22 | 59 |
| 1995 | 2 | 32 | 0 | 0 | 33 | 67 |

| | | | | | | |
|--------------|----|-------|---|----|-----|-------|
| 1996 | 2 | 45 | 0 | 0 | 32 | 79 |
| 1997 | 2 | 58 | 1 | 0 | 27 | 88 |
| 1998 | 0 | 63 | 0 | 0 | 21 | 84 |
| 1999 | 0 | 62 | 0 | 0 | 20 | 82 |
| 2000 | 5 | 67 | 0 | 0 | 17 | 89 |
| 2001 | 2 | 49 | 0 | 0 | 14 | 65 |
| 2002 | 1 | 81 | 0 | 3 | 25 | 110 |
| 2003 | 5 | 73 | 0 | 0 | 18 | 96 |
| 2004 | 2 | 70 | 2 | 0 | 28 | 102 |
| 2005 | 0 | 53 | 0 | 1 | 38 | 92 |
| 2006 | 1 | 71 | 0 | 0 | 34 | 106 |
| 2007 | 4 | 50 | 0 | 0 | 29 | 83 |
| Total | 32 | 1,184 | 7 | 10 | 579 | 1,812 |

Source: Epidemiology & Research Unit, Public Health Care Service, Curaçao

Table 21 Cumulative number of diagnoses HIV cases by age group and gender in the Netherlands Antilles; 1985-2007

| Age group | Men | Women | Total |
|------------------|------------|--------------|--------------|
| <1 | 28 | 21 | 49 |
| 1-4 | 5 | 2 | 7 |
| 5-14 | 5 | 3 | 8 |
| 15-24 | 75 | 94 | 169 |
| 25-44 | 655 | 509 | 1,164 |
| 45-64 | 246 | 138 | 384 |
| 65+ | 21 | 10 | 30 |
| Total | 1,035 | 777 | 1,812 |

Source: Epidemiology & Research Unit, Public Health Care Service, Curaçao

Table 22 Annual incidence of HIV diagnosis by age group in the Netherlands Antilles (1985-2007)

| Year | Age group (years) | | | | | | | Total |
|--------------|-------------------|-----|------|-------|-------|-------|-----|-------|
| | <1 | 1-4 | 5-14 | 15-24 | 25-44 | 45-64 | 65+ | |
| 1985 | 0 | 0 | 0 | 1 | 7 | 1 | 0 | 9 |
| 1986 | 5 | 0 | 0 | 3 | 29 | 8 | 1 | 46 |
| 1987 | 2 | 0 | 0 | 9 | 30 | 12 | 1 | 54 |
| 1988 | 3 | 1 | 0 | 10 | 55 | 10 | 1 | 80 |
| 1989 | 4 | 0 | 0 | 9 | 55 | 8 | 2 | 78 |
| 1990 | 11 | 0 | 1 | 17 | 68 | 13 | 3 | 113 |
| 1991 | 2 | 0 | 0 | 5 | 66 | 6 | 1 | 80 |
| 1992 | 2 | 0 | 1 | 9 | 53 | 5 | 1 | 71 |
| 1993 | 6 | 1 | 1 | 6 | 52 | 13 | 0 | 79 |
| 1994 | 0 | 0 | 1 | 3 | 39 | 16 | 0 | 59 |
| 1995 | 3 | 0 | 0 | 3 | 44 | 16 | 1 | 67 |
| 1996 | 4 | 1 | 0 | 4 | 60 | 10 | 0 | 79 |
| 1997 | 0 | 1 | 0 | 9 | 59 | 17 | 2 | 88 |
| 1998 | 0 | 0 | 1 | 5 | 54 | 23 | 1 | 84 |
| 1999 | 0 | 0 | 0 | 8 | 49 | 23 | 2 | 82 |
| 2000 | 1 | 2 | 0 | 8 | 56 | 20 | 2 | 89 |
| 2001 | 2 | 0 | 1 | 7 | 36 | 17 | 2 | 65 |
| 2002 | 2 | 0 | 0 | 13 | 62 | 32 | 1 | 110 |
| 2003 | 1 | 0 | 0 | 7 | 28 | 28 | 2 | 96 |
| 2004 | 0 | 0 | 0 | 7 | 77 | 17 | 1 | 102 |
| 2005 | 0 | 0 | 1 | 6 | 57 | 24 | 4 | 92 |
| 2006 | 0 | 1 | 1 | 6 | 63 | 33 | 2 | 106 |
| 2007 | 1 | 0 | 0 | 14 | 35 | 32 | 1 | 83 |
| Total | 49 | 7 | 8 | 169 | 1,164 | 384 | 31 | 1,812 |

Source: Epidemiology & Research Unit, Public Health Care Service, Curaçao

Table 23 Incidence of HIV diagnosis by age group and gender in the Netherlands Antilles 2007

| Age group | Men | Women | Total |
|--------------|-----------|-----------|-----------|
| <1 | 1 | 0 | 1 |
| 1-4 | 0 | 0 | 1 |
| 5-14 | 0 | 0 | 0 |
| 15-24 | 9 | 5 | 14 |
| 25-44 | 19 | 16 | 35 |
| 45-64 | 17 | 15 | 32 |
| 65+ | 1 | 0 | 1 |
| Total | 47 | 36 | 83 |

Source: Epidemiology & Research Unit, Public Health Care Service, Curaçao.

Table 24 Incidence of HIV diagnosis by age group and gender on Curaçao and Sint Maarten in 2007

| Age group | Curaçao | | | Sint Maarten | | |
|--------------|-----------|-----------|-----------|--------------|-----------|-----------|
| | Men | Women | Total | Men | Women | Total |
| <1 | 0 | 0 | 0 | 1 | 0 | 0 |
| 1-4 | 0 | 0 | 0 | 0 | 0 | 0 |
| 5-14 | 0 | 0 | 0 | 0 | 0 | 0 |
| 15-24 | 6 | 4 | 10 | 2 | 1 | 3 |
| 25-44 | 13 | 9 | 22 | 5 | 7 | 12 |
| 45-64 | 9 | 8 | 17 | 6 | 7 | 13 |
| 65+ | 1 | 0 | 1 | 0 | 0 | 0 |
| Total | 29 | 21 | 50 | 14 | 15 | 29 |

Source: Epidemiology & Research Unit, Public Health Care Service, Curaçao

Table 25 Incidence of HIV diagnosis by age group and gender on Bonaire, Sint Eustatius and Saba in 2007

| Age group | Bonaire | | | Sint Eustatius | | | Saba | | |
|--------------|---------|-------|-------|----------------|-------|-------|------|-------|-------|
| | Men | Women | Total | Men | Women | Total | Men | Women | Total |
| <1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 1-4 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 5-14 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 15-24 | 1 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 |
| 25-44 | 1 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 |
| 45-64 | 2 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 |
| 65+ | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total | 4 | 0 | 4 | 0 | 0 | 0 | 0 | 0 | 0 |

Source: Epidemiology & Research Unit, Public Health Care Service, Curaçao

Teenage Pregnancy

168. The percentage of pregnant women in the Netherlands Antilles who have access to and use prenatal and postnatal health care varies per island and depends on a range of factors.

Curaçao

169. The number and quality of health checks vary considerably, depending on a woman's insurance status. Uninsured women (including women without a residence permit) receive occasional health checks. Most deliveries are assisted by a family doctor, midwife/obstetrician or gynaecologist. The quality and extent of postnatal care provided depends on the mother's insurance status.

170. On Curaçao, almost 95% of all deliveries take place in a hospital or maternity clinic. The remaining 5% are home births, and is made up of a small group of women who consciously choose to have a home birth (50 to 100 per year) and uninsured women.

Bonaire

171. On Bonaire, 85% of all children are born in hospital.

Sint Maarten

172. Nearly all deliveries on Sint Maarten take place in hospital. A small percentage of children are born in maternity clinics.

Sint Eustatius

173. On Sint Eustatius, all children are born in hospital.

Table 26 Number of teenage mothers on Curaçao, 2004-2006

| Age of mother | Year | | | |
|------------------|------|------|------|------|
| | 2004 | 2005 | 2006 | 2007 |
| 11 | 0 | 0 | 0 | 0 |
| 12 | 0 | 1 | 0 | 0 |
| 13 | 1 | 0 | 4 | 0 |
| 14 | 4 | 6 | 5 | 3 |
| 15 | 13 | 13 | 6 | 3 |
| 16 | 31 | 27 | 27 | 7 |
| 17 | 39 | 38 | 37 | 20 |
| 18 | 68 | 61 | 54 | 21 |
| Total | 156 | 146 | 133 | 54 |

Source: Population Affairs Department, Curaçao

Table 27 Number of teenage mothers on Bonaire, 2004-2006

| Age of mother | Year | | |
|------------------|------|------|------|
| | 2004 | 2005 | 2006 |
| 14 | 1 | 0 | 0 |
| 15 | 0 | 0 | 0 |
| 16 | 5 | 4 | 1 |
| 17 | 0 | 3 | 0 |
| Total | 6 | 7 | 1 |

Source: Population Affairs Department, Bonaire

Table 28 Number of teenage pregnancies on Sint Eustatius, 2004-2006

| | 2004 | 2005 | 2006 |
|--------------|------|------|------|
| Total | 1 | 1 | 1 |

Source: Population Affairs Department, Sint Eustatius

Number of breastfeeding mothers

174. While all maternity clinics promote breastfeeding as the best option for mother and baby, some women do not breastfeed for various reasons, including work.

Curaçao

175. A survey into paediatric nutrition was conducted on Curaçao in 2003 to determine the prevalence and duration of breastfeeding. Of the 626 newborns registered that year,

- 25% were breastfed exclusively,
- 54% were breastfed and bottlefed, and
- 21% were bottlefed exclusively.

Bonaire

176. On Bonaire, 40% of mothers breastfed their babies exclusively in the first 7 to 8 months.

Sint Eustatius

177. On Sint Eustatius, 60% of mothers breastfed their babies exclusively for at least 3 months.

Article 13

178. Reference is made to previous reports.

Article 14

179. Reference is made to previous reports.

Article 15

180. Reference is made to previous reports.

Article 16

181. Reference is made to previous reports.
