



Parliament of Sint Maarten

Staten van Sint Maarten

To the Hon. Minister of General Affairs
Mr. W.V. Marlin
p/a Council of Ministers
Philipsburg

UV/207/2016-2017

Philipsburg, April 21, 2017

Re: Questions from MP F.G. Richardson regarding UN Charter and self-governance

Hon. Minister Marlin,

Herewith I submit to you questions posed by Member of Parliament, Mr. Frans G. Richardson pursuant to article 62 of the Constitution and article 69 of the Rules of Order of the Parliament of Sint Maarten.

The letter is self-explanatory.

Yours truly,



S.A. Wescot-Williams
President of Parliament

Mr Frans Richardson
USP

STATEN VAN SINT MAARTEN	
Ingek.	19 APR 2017
Volgnr.	15/646/16-17
Par.	de UB neg.

1. Are you aware that on April 13, 2012 the High Court of the Netherlands (Hoge Raad) rendered a decision whereby it ruled that: in the event of a conflict between the obligations of the Members of the United Nations under the present Charter and the obligations under any other international agreement, their obligations under the UN Charter shall prevail?
2. Are you aware that Chapter 11, or article 73 of the UN Charter places six obligations on the Government of the Netherlands, among which is the obligation to consider our interests **paramount**?
3. Are you aware that obligations under the Charter do not allow any space for any deviation whatsoever?
4. Are you aware that according to Article 73 of the UN Charter, and Resolution 742 (VIII) of November 27, 1953 St. Maarten has the right to a "Full Measure of Self-Government"?
5. Do you agree that under a "full measure of self-government" St. Maarten cannot be forced to adopt any legislation demanded by the Government of the Netherlands?
6. Do you agree that the protocol under which the ethics chamber is supposed to be installed is in conflict with article 73 of the UN Charter, as it infringes on our right to a "Full measure of self-government" and therefore triggers article 103?
7. Are you aware that resolution 742 (III) of November 27, 1953 states that association with another State must be done on the basis of **absolute equality**?
8. Are you aware that the government of St. Maarten considers "Country Status" the same as association?
9. Do you agree that if our interest are **paramount** and that association should be on the basis of **absolute equality**, we can in no way be subordinate to the government of the Netherlands and that there can be no question of Kingdom Measures or Orders in Council or instructions to the Governor?

10. Do you agree that if St. Maarten does not consider an ethics chamber in its interest it has the right to reject same, since our interests are **paramount** according to article 73 of the UN Charter?
11. Do you agree that because our interest are **paramount** and because association must be on the basis of **absolute equality** and because we have the right to a "full measure of self-government" St. Maarten can change the constitution without approval of the Government of the Netherlands?