

# INFORMATEURS REPORT

BEYOND THE COALITION HANDSHAKE



**FEBRUARY 2, 2024  
SINT MAARTEN**

**BY DR. NILDA ARDUIN & DRS. CANDIA JOSEPH**

INFORMATEURS REPORT

PRESENTED TO

HIS EXCELLENCY THE GOVERNOR OF SINT MAARTEN A.G. BALLY

FEBRUARY 2, 2024

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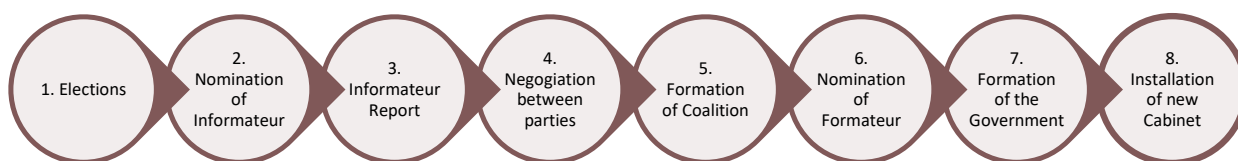
# 1. INTRODUCTION

## 1.1. GOVERNMENT FORMING AND THE INFORMATION STAGE

In a democratic society, following a Parliamentary election a Government supported by a majority of members elected to Parliament is formed. This procedure is in general marked by an exploratory phase, followed by an information stage led by one or more *Informateurs*. The *Informateur* is not expected to finalize a coalition, but attempts to find enough points of agreement to identify (a) likely coalition(s). Once the *Informateur* has found a potentially successful coalition, he/ she reports back to the authority who appointed him/ her, and that authority proceeds to appoint a *Formateur*. The selected *Formateur* then together with the coalition concludes a political program and composes a cabinet. The *Formateur* presides over the talks about the ministerial positions that are held between the parties that have established a Coalition Agreement or Coalition Accord. Taking into account that the government formation (including coalition forming) process is (often) not anchored into a law, various variants are applied globally.

## 1.2. THE CASE OF SINT MAARTEN

Like many countries, the government formation (including coalition forming) procedures on Sint Maarten are not anchored into written law. The steps followed for the formation process were outlined after the Parliamentary elections of February 26, 2018. These can be found on the website [www.sxm.govformation.org](http://www.sxm.govformation.org).



Historically on Sint Maarten, the Governor is the authority to assign the *Informateur* and *Formateur* tasks. The Governor, in consultation, can decide to skip the information phase and appoint a *Formateur* directly after elections. The following is an overview of the history on Sint Maarten.

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
<i>Informateur</i>					☑				☑						☑
<i>Formateur</i>	☑		☑	☑	☑	☑	☑	☑	☑	☑	☑				

Following the Parliamentary elections of January 11, 2024, the Governor consulted the Vice-Chair of the Council of Advice, the Chair of Parliament and the Political Party leaders of all six (6) parties that obtained one (1) or more seats in the elections, regarding the way forward to form the new Government. As a result of mentioned consultations, the Governor requested the undersigned persons, further to be referred to as the *Informateurs*, to accept an assignment to function as such.

## 1.3. THE ASSIGNMENT

The *Informateurs* were asked to explore the possibilities and report to the Governor regarding:

- Formation of a Cabinet that can count on a broadest support possible in Parliament;
- Consider the intention for cooperation expressed by four Political Parties;
- Seek the opinion of stakeholders in order to acquire community support to strengthen the formation.



Attention points to consider for the Governing Program should include:

- ✓ the sustainability of public finances, including collection and the simplification of the tax system;
- ✓ law enforcement, in particular the imbalance in the enforcement chain and the new construction of the prison;
- ✓ monitoring the progress of the reconstruction processes, the mutual arrangements between the Netherlands and Sint Maarten and the implementation of the Country Packages;
- ✓ the legal position of civil servants and the building of sufficient substantive and formative capacity in the Government (including good employment conditions, sufficient growth of new talent and attention to the Sint Maarten diaspora, in addition to opportunities for sufficient personal growth of government employees, both in horizontal and vertical sense);
- ✓ economic resilience;
- ✓ healthcare; and
- ✓ the governance of public companies.

This task was assigned to the *Informateurs* by the Governor through letter dated January 18, 2024. The leaders of all six (6) political parties were copied in this correspondence. The *Informateurs* were informed that one party expressed reservations with regard to the information process.

#### 1.4. COMMUNITY ENGAGEMENT AND PARTICIPATION IN DEMOCRATIC PROCESSES

Globally there is a rapid expansion of state-based initiatives to facilitate public participation in decision making, where communities are invited to engage beyond voting. Researchers have observed a pronounced expansion of engagement since the mid-1980s. The mistrust or loss of faith in Government and information on public policy requires deepening democracy with the shift from top-down governance to more horizontally organized government decision-making processes, nurturing the democratic idea that people should have a say over decisions that impact their everyday lives. There is a call for transparency around public decisions. Community maturity is required for residents to be motivated to weigh in on policies affecting them. Citizens who participate in these processes show significant commitment to help make projects happen. It is important that participatory effort has real potential to make a difference, and that participants are aware of that potential.

## 2. APPROACH FOLLOWED BY THE *INFORMATEURS*

In order to fulfill the exploratory and information assignment, the *Informateurs* employed four means of gathering information.



Analysis of Manifestos of Elected Political Parties



Questionnaire to Elected Political Parties

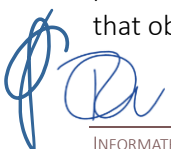


Interviews with the Elected Political Parties



Questionnaire to Community Stakeholders

Manifestos enable the electorate and wider public to know about political parties' policies, programs and priorities if elected. The *Informateurs* analyzed and compared the Manifestos of the six (6) political parties that obtained seats in the Parliamentary elections (*presented below in order of appearance on the voting ballot*):



1. Nation Opportunity Wealth (NOW) – “The Future is NOW 2024... and Beyond”
2. United People’s Party (UPP) Manifesto
3. Party for Progress (PFP) – “Five for the Future – Working Today to Transform Tomorrow – Improving Quality of Life for All on St. Maarten”
4. Unified Resilient Sint Maarten Movement (URSM) Manifesto
5. National Alliance (NA) – “We Are One” Manifesto 2024 – 2028
6. Democratic Party (DP) Manifesto – “Give Light and People Will Move On”

In analyzing the Manifestos, the *Informateurs* gained insight into how the parties outlined their vision, intentions and ambitions for Sint Maarten. Per main topic and sector that Government is responsible for or has a role in, the expressions of each political party thereon were noted and compared. For the seven (7) attention points outlined by the Governor, the *Informateurs* specifically noted if and how the political parties gave attention to them.

To gain an understanding of the elected political parties’ views post-election and delve further into their (intended) manner of operating within their party and with their coalition partners, a questionnaire was sent out to them. With this questionnaire, the *Informateurs* also aimed to gain insight into their preferred coalition partners and reasons therefore. The questionnaire was sent out via email on Sunday, January 21, with a request to respond by Tuesday, January 23. Some parties needed additional time to respond, and this was granted. Responses from five (5) of the six (6) political parties were received by Thursday, January 25. The *Informateurs* were later on informed that a response from the NOW party on the questionnaire would not be forthcoming. The responses received were analyzed and compared accordingly.

The political parties were then invited for an interview with the *Informateurs*. The aim was to gain further insights, information and clarifications based on the analyses of the Manifestos and questionnaire responses. The invitation to each party was sent out on Wednesday, January 24. This invitation was extended to the elected members of the political party and two (2) board members. The interviews would take place on Saturday and Sunday, January 27 and 28, respectively, in the order that the parties appeared on the voting ballot. On Thursday, January 25, the four parties that signed a coalition agreement submitted a request to meet jointly as a group instead of individual parties. Given the assignment of the Governor stating that the intention of the four parties to cooperate should be considered in our approach, the *Informateurs* honored the request. Ultimately, the *Informateurs* met with representatives of all six (6) political parties.

As noted, community stakeholder involvement is a key driver of success in achieving government policies and programs. Aligned with the assignment of the Governor, the *Informateurs* sent out a questionnaire to selected stakeholders that represent various groups within the community to provide an opportunity to receive their input. To enhance participation, in consultation with the Governor, a press release was sent out informing the public of this approach. The stakeholders were asked to monitor their emails. The questionnaires were sent out via email on Tuesday, January 23, with a request to return responses by Thursday, January 25.

With all the information gathered, alignment in governing priorities, approach to governance, and party and coalition protocols were sought as these are indicators of stability and success in multi-party Governments. The *Informateurs* considered all possible coalition combinations of political parties to have majority support in Parliament, and how the coalition preferences communicated by the political parties would impact each coalition combination.



### 3. MANIFESTOS

Prior to the elections of January 11, 2024, all political parties made their Manifestos available to the public. The respective Manifestos of the six (6) political parties elected differ in the level of detail; some Manifestos are more specific than others. The NOW, UPP, PFP and NA have relatively specific Manifestos. The URSM and DP published a more summarized Manifesto.







The analysis of the Manifestos focused on identifying alignment in the proposed policies and programs of the political parties and attention areas noted by the Governor, as policy alignment is an indicator of successful coalition forming and stability. All six (6) political parties elected to Parliament mentioned the following areas in their Manifestos:


- ✓ *Tax simplification*
- ✓ Further development and strengthening of the *tourism industry*
- ✓ Stimulating *small and medium local businesses*
- ✓ Attention for and investment in *local heritage and culture*
- ✓ Improving the *quality of education*
- ✓ Reforms in the *health care* sector
- ✓ Improving the (access to) *sports facilities and programs*
- ✓ *Infrastructure* investments and improved *waste management*
- ✓ Better *environmental policies and enforcement*
- ✓ Measures to strengthen and *diversify the economy*
- ✓ Attention for the *social welfare* of the people of Sint Maarten

Although all six (6) elected political parties mention the above-noted objectives in their Manifestos, often the method noted to achieve the results differ.







As the exploratory and information assignment is focused on coalition forming, the following table reflects the topics that were mentioned by coalition combination of parties representing eight (8) seats or more. Therefore, there may be topics mentioned in a party’s Manifesto that are not noted in the table as it is not sufficiently mentioned by others. Of all topics mentioned in the six (6) Manifestos, approximately 70 percent are mentioned in the following table.

In considering the intention for cooperation expressed by the four (4) political parties, we first present their results sequentially in alphabetical order, and then the other two (2) elected political parties.<sup>1</sup>

	DP 	NOW 	PFP 	URSM 	NA 	UPP 
<b>A. Taxation</b>						
Tax reform & simplification	✓	✓	✓	✓	✓	✓
<b>B. Cost of living</b>						
Review products under price control		✓			✓	✓







<sup>1</sup>  Indicates that a party mentioned this topic in their Manifesto









	DP 	NOW 	PFP 	URSM 	NA 	UPP 
Affordable housing	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<b>C. Healthcare</b>						
Reforms in healthcare sector	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Invest in preventative health care	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Increasing access to quality mental health care		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<b>D. Social Welfare</b>						
Social Security	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Seniors & Pensioners		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<b>E. Youth</b>						
More involvement of youth in policy making and in their communities		<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<b>F. Education</b>						
Early childhood development, education and legislation	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Invest in special needs education		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Improve connection between education and the labor market	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Support to strengthen higher education on Sint Maarten	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<b>G. Sports</b>						
Improving the (access to) sports facilities and programs	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<b>H. Culture</b>						
Cultural education & curriculum	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Promote local festival, arts & crafts		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Cultural facilities & institutions	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<b>I. Climate change &amp; energy</b>						
Better environmental policies and enforcement	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Stimulate the use of renewable energy	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Establish climate change policies		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<b>J. Economy &amp; Entrepreneurship</b>						
Stimulating small and medium local businesses	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Further development and strengthening of the tourism industry	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Strengthen and diversify the economy	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Blue economy		<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<b>K. Agriculture</b>						
More local farming to promote self-sufficiency		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>





	DP 	NOW 	PFP 	URSM 	NA 	UPP 
<b>L. Infrastructure</b>						
Infrastructure investments and improved waste management	✓	✓	✓	✓	✓	✓
Improve regulations for spatial development		✓	✓		✓	
Strengthen the resilience of infrastructure		✓	✓		✓	
<b>M. Rule of Law</b>						
Construction of the new prison		✓		✓	✓	✓
Attention for the labor position of justice workers				✓	✓	✓
Strengthening law enforcement		✓		✓	✓	✓
<b>N. Regional Affairs<sup>2</sup></b>						
Strengthen and explore regional partnerships			✓		✓	✓
<b>O. Democracy &amp; good governance</b>						
Adhere to the ideals of good governance		✓	✓		✓	✓

	DP 	NOW 	PFP 	URSM 	NA 	UPP 
<b>Attention points for the Governing Program according to the Governor's assignment</b>						
i. Tax collection	✓					✓
ii. Simplification of the tax system	✓	✓	✓	✓	✓	✓
iii. Law enforcement	✓	✓		✓	✓	✓
iv. Construction of new prison		✓		✓	✓	✓
v. Monitoring the progress of the reconstruction processes						
vi. Mutual arrangements between the Netherlands and Sint Maarten regarding the Country Packages			✓			
vii. Legal position of civil servants and the building of sufficient substantive and formative capacity in the Government <sup>3</sup>						✓
viii. Economic resilience	✓	✓	✓	✓	✓	✓
ix. Healthcare	✓	✓	✓	✓	✓	✓
x. Governance of public companies			✓	✓	✓	✓

<sup>2</sup> Three (3) parties – NOW, UPP, DP – mentioned Kingdom Affairs in their Manifesto

<sup>3</sup> Three (3) parties – URSM, NA, UPP – mentioned the legal position of Justice personnel in their Manifesto

The analysis of the Manifestos revealed that there are no significant differences in the policies and programs the political parties envision for Sint Maarten, although the noted methods to achieve them may differ. If the attention points mentioned by the Governor are to be included in a Governing Program, the parties within any coalition would have to further outline and align their policies and programs in these areas.

#### 4. RESPONSES OF POLITICAL PARTIES TO THE QUESTIONNAIRE







To gain an understanding of the elected political parties’ views post-election and delve further into their (intended) manner of operating within their party and with their coalition partners, the parties were requested to share their party’s position in writing. This was also in preparation of the interviews between the elected political parties and the *Informateurs*. The questionnaire<sup>4</sup> included thirteen (13) exploratory questions and seven (7) questions regarding the coalition formation. Responses to the questions concerning coalition forming are addressed in chapter 7. As noted, one (1) party, the NOW, did not send in their responses, therefore their position will not be reflected in the following analysis.

##### *The role of the National Development Vision (2022) of Sint Maarten*

The Sint Maarten National Development Vision (NDV) “2020-2030 and Beyond” was officially launched by the Government in November 2022, outlining the country’s direction for future national development. All five (5) parties recognize that National Vision can serve as a guidance in establishing the Coalition Accord and Governing Program; this however in varying degrees of relevance. UPP and NA see the NDV playing a pivotal role, and see it as the foundation for a new Governing Program. DP and URSM consider the NDV more as a strategy, long-term plan and PFP indicated that elements of the NDV that satisfy agreements with the Netherlands on structural reform should be considered, stressing that viability of these elements is important. Both NA and DP also stressed the importance of the Sustainable Development Goals (SDGs) in shaping the Governing Program.

##### *The Next Governing Period*

In regard to the question what the party wants to achieve in the next governing period, the following table reflects the topics (1. to 33.) and areas mentioned by the political parties. In considering the intention for cooperation expressed by the four (4) political parties, their results are presented sequentially in alphabetical order, followed by the results of the other two (2) parties. The number(s) stated in the darker shaded sections reference the topics (1. to 33.). If no number is mentioned in the darker shaded section, then only the main area was mentioned in general terms.

	DP 	NOW 	PFP 	URSM 	NA 	UPP 
<b>Infrastructure</b>						
1. Philipsburg marketplace						1.
2. Reconstruction of the PJIA				2.		2.
3. Construction of proper parking in Philipsburg						3.
4. Optimize road network						4.
5. Spatial & economic zoning	5.					



<sup>4</sup> See Appendix A for the questionnaire sent to the elected political parties.

	DP 	NOW 	PFP 	URSM 	NA 	UPP 
<b>Economy</b>						
6. US pre-clearance						6.
7. Explore other avenues to generate income for economic growth	7.				7.	
8. Boosting tourism and entrepreneurship				8.		
<b>Healthcare</b>						
9. Completion of the hospital				9.		9.
10. Rolling out National Healthcare Plan						10.
11. Sustainable financing				11.		
12. Medical professional healthcare registry				12.		
13. Universal healthcare	13.					
<b>Justice</b>						
14. Building a new prison						14.
15. Improving the justice system			15.		15.	
16. Re-evaluation of immigration policies				16.		
<b>Democracy &amp; good governance</b>						
17. Establishing a centralized Parliament building						17.
18. Stability				18.		18.
19. Community involvement and empowerment	19.			19.		
20. Establish transparency and accountability				20.		
21. Electoral reform	21.					
<b>Education</b>						
22. Reforms in study financing and enhance school conditions						22.
<b>Financial management</b>						
23. Improve financial management			23.		23.	
24. Tax reform	24.		24.	24.		
25. Improved corporate governance			25.			
<b>Environment</b>						
26. Environmental protection			26.	26.		
<b>Social security</b>						
27. Combatting poverty	27.			27.		
28. Re-evaluation of social allowances				28.		
29. Re-evaluation of minimum wage and old age pension	29.			29.		
30. Affordable housing				30.		
<b>Foreign policy &amp; kingdom relations</b>						
31. Strengthening regional and international cooperation					31.	
32. Kingdom charter reform	32.					
<b>Energy</b>						
33. Preparing GEBCO for LNG						33.

### *Vision on aligning the Governing Program with ongoing government plans and activities*







In their responses to the question how the parties intend to align their Governing Program with ongoing plans and activities, NA answered that the Governing Program will be completely aligned with the ongoing plans



and activities. UPP set out an elaborate 12-step strategy on how alignment looks like. PFP and URSM want to review ongoing programs to see if they are in line with their Governing Program. PFP emphasizes that projects that yield positive results will be maintained, but incorrectly executed projects/ tenders need to be scrutinized or reversed. DP wants to reassess the Country Packages.

### Criteria for selecting Ministers







The following table represents the criteria considered crucial by political parties for selecting Ministers to the Executive branch. An educational background, strong financial standing, commitment to public service, political skills and public trust were mentioned by less than 50 percent as essential qualities.

	DP 	NOW 	PFP 	URSM 	NA 	UPP 
Criteria to be considered in selecting Ministers						
Competences & relevant expertise			✓	✓	✓	✓
(Management) Experience	✓		✓	✓	✓	✓
Ethical conduct			✓		✓	✓
Effective communication			✓		✓	✓
Understanding of local & geopolitical context			✓		✓	✓
Educational background	✓		✓			
Solid financial standing			✓			
Commitment to public service					✓	
Political skills					✓	
Public trust					✓	







In addition, URSM mentioned that it established a selection committee which will select Ministers and cabinet staff based on education, experience and competency, looking first at party's internal candidates and aficionados. If and when necessary for specific disciplines it will look outside the party.

### Breaking points for Cooperation on Executive level

In answering this question, UPP is the only party that mentions policy-related topics. PFP, NA and DP all mentioned topics regarding the conduct of the Ministers and the Government, especially unethical behavior and undue influence that would be breaking points for cooperation. URSM does not envision conflicts arising that would result in the collapse of a coalition.

	DP 	NOW 	PFP 	URSM 	NA 	UPP 
Breaking points for cooperation on Executive level						
Nepotism, favoritism or unethical behavior regarding appointments or other governance related issues that impact credibility of Government			✓		✓	
Interference in governance by external parties	✓		✓			



	DP 	NOW 	PFP 	URSM 	NA 	UPP 
<b>Breaking points for cooperation on Executive level</b>						
Widely divergent view on controversial topics	☑				☑	
Reconstruction of the airport & US Pre-clearance						☑
Improvement of healthcare system						☑
Enhancement of working conditions of civil servants						☑
Refusal to address internal conflict in the coalition			☑			
Lack of transparency	☑					

### Party views on Kingdom & Regional Relations

All parties underscore the importance of Caribbean and regional collaboration through various partnerships and memberships of regional organizations. There is less consensus pertaining to the parties' views on how to approach Kingdom relations with varying levels of collaboration. The parties do align on the aim to accomplish a relationship of equity between Sint Maarten and the Netherlands, the protection of the country's autonomy and addressing the democratic deficit.







### Internal and Coalition Conflict Resolution

In response to the question on what structures the party has in place to manage conflict and prevent escalation, the UPP and DP state that their party's internal structure provides the possibility for internal conflict resolution and conflict prevention. UPP refers to party leaders being elected through a democratic process and participatory decision-making processes. URSM, NA and PFP give some examples of internal mechanisms for conflict resolution already in place, such as involvement of the board and advisory council (URSM), committees for mediating disputes (NA) and establishing an internal code of ethics and conduct.

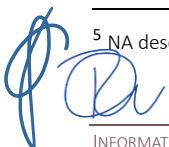
Parties agree that it is important to establish a code of conduct for coalition members and conflict resolution mechanisms. URSM and NA suggest having a conflict resolution committee/ negotiation committee among coalition partners. The mechanisms have to be further specified by the parties that form a coalition.







### Community Outreach, Feedback and Engagement

All parties underscore the importance of community outreach and present proposals for a community outreach approach, including:

	DP 	NOW 	PFP 	URSM 	NA 	UPP 
<b>Community Outreach, Feedback and Engagement</b>						
Regular town hall meetings				☑		☑
Community workshops and seminars				☑		☑
Outreach programs	☑					☑
Utilizing digital platforms to generate feedback						☑

<sup>5</sup> NA described this topic in general terms without specifications.









	DP 	NOW 	PFP 	URSM 	NA 	UPP 
<b>Community Outreach, Feedback and Engagement</b>					5	
Live streaming programs				✓		✓
Community education on role MPs and Ministers			✓			
Community action & volunteering				✓		
Formalize community councils' position as district representation	✓					

### Party Politics vs. Governance & Party Loyalty vs. Coalition Stability







All of the parties similarly responded that they adhere to democratic principles, the rule of law, good (corporate) governance and integrity. Saying that they will prioritize the public interest over party interest. PFP and URSM stress that they will always act in the interest of the country. NA views party loyalty as conducive to coalition stability, especially loyalty based on full buy-in with the agreed upon party Manifesto and subsequent Governing Program with its priorities and needed actions. DP is the only party that mentioned wanting to address electoral reform, ship-jumping, and the undermining of the party-political system.

### Policy Priorities & Non-Negotiables

The list below is a compilation of all priorities mentioned by the five (5) parties that responded to the questionnaire.

	DP 	NOW 	PFP 	URSM 	NA 	UPP 
<b>Immediate &amp; Medium-term Priorities</b> ✓						
<b>Non-negotiables</b> ✗						
Rebuilding of the PJIA International Airport				✓ ✗		✓ ✗
Establishment of Proper banking law						✓
Improvement of justice system						✓
Improve social welfare	✓ ✗			✓ ✗		✓
Increase minimum wage						✓
Reduce cost of goods & services						✓
Reform healthcare - medical professional healthcare registry - universal health care	✓ ✗			✓ ✗		✓ ✗
Finalize reconstruction of hospital				✓ ✗		
National decree to regulate government tendering			✓ ✗			
Address the lack of spatial planning and zoning laws			✓ ✗			
Tax reform legislation	✓		✓ ✗		✓ ✗	
Improve corporate governance at government-related entities			✓ ✗			



	DP 	NOW 	PFP 	URSM 	NA 	UPP 
<b>Immediate &amp; Medium-term Priorities</b> ✓						
<b>Non-negotiables</b> ✗						
Working with GridMarket and GEBE to realize tangible, financially viable renewable energy solutions (not necessarily waste-to-energy)			✓ ✗			
A commitment to upholding integrity and accountability to any office of Government, including the removal of Ministers should they violate the office in any way			✓ ✗			
Address sustainability of GEBE				✓ ✗		
Engage in Public Private Partnership to fix schools and sports facilities				✓ ✗		
Execution of capital expenditure projects					✓	
Passing of the Civil Servants Salary Regulation ('Bezoldigings Regeling Ambtenaren')					✓	
Restructuring Ministry of General Affairs					✓	
Implementation of disaster risk fund					✓	
Electoral reform	✓ ✗					
Kingdom charter reform	✓ ✗					
Cohesion/nation building	✓					
Environmental preservation	✓					
Youth empowerment	✓					

The topics that are mentioned by a **majority of the parties** that responded to the questionnaire as policy priorities are:

- ✓ Improve social welfare
- ✓ Healthcare reform
- ✓ Tax reform legislation

In addition, topics three (3) or more parties agree on that should certainly form part of the **Coalition Accord** are:

- ✓ Social welfare policies and inclusivity (DP, URSM, NA, UPP)
- ✓ Economic development and financial stability (URSM, NA, UPP)
- ✓ Kingdom relations and Autonomy (DP, UPP, NA)
- ✓ Infrastructure, zoning and environmental sustainability (PFP, NA, UPP)
- ✓ Healthcare (DP, URSM, NA)

### *Accountability, Transparency and Good Governance*

All parties emphasize transparency and accountability and clear communication with the public. In addition, some parties focus on specific aspects of accountability, such as independent oversight (UPP) or clear consequences for wrongdoing (PFP, NA). All five (5) parties agree on the importance of holding coalition partners accountable, but they differ in their specific approaches. UPP focuses on establishing formal mechanisms and procedures like a charter and consequence mechanisms. PFP emphasizes individual



character and responsibility and using the mechanisms available. URSM mainly focuses on communication and alignment between the coalition partners and cabinets, and NA advocates for proactive measures and collaboration through open dialogue, workshops and community engagement. Lastly, DP proposes strengthening existing oversight mechanisms by giving advisory institutions more teeth using codes and sanctions.

### *In Summary*

Considering that coalition forming is more than just a sum of numbers to get to a majority support of seats in Parliament to form Government, the above comparison provides an insight into shared views on important matters affecting a sustainable working relation between parties. Such matters add substance to negotiations in the information stage of seeking alignment with other parties. The lack of information from one party on mentioned matters limited the *Informateurs* to fully take the responses to the questionnaire in account to provide a more complete analysis of alignments to support possible combinations of the parties beyond the numbers. However, the information is made available through this *Informateurs* report and provides the parties that have agreed to work together for the coming four (4) years additional input for further deliberations.

## 5. INTERVIEWS WITH POLITICAL PARTIES

The *Informateurs* conducted interviews with the following three political parties/ groups:

- The United Peoples Party (UPP);
- The National Alliance (NA);
- The Coalition of Four (URSM, DP, PFP, NOW).

As indicated, the Coalition of Four decided to conduct the interview jointly. The communicated rationale for this decision is that based on the results of the elections the public gave a message that it did not want to proceed with the present governing parties NA and UPP. According to the four parties there was a clear expression that a change was desired. Considering that there was compatibility between the Manifestos, a Coalition Agreement was signed. On the basis of said agreement, they have decided to conduct the interview with the *Informateurs* together.

Key overall statements from the interviews with all six (6) political parties:

- Based on the interviews, the *Informateurs* were not fully able to verify party alignments, commitments, goals, procedures followed etc., as the conversations centered mainly around the (in)formation process.
- Cooperation with the Informateur process was confirmed by five (5) parties. The NOW party considered the *Informateur* process a superfluous exercise.
- Despite the signed coalition agreement, there are (still) discussions ongoing amongst some parties and/or individuals that obtained seats during the election.
- Parties elaborated with which party/ parties they (mostly) align and with whom a coalition would be possible.
- The strength of a coalition, in first instance, should be based on the alignment of beliefs, common goals, not necessarily the numbers (seats). The alignment can be with a person, and not necessarily with a particular political party.





- Unambiguous agreements and protocols within and between coalition parties on how to operate on Executive and Parliament level are necessary. There seems to be a lack of knowledge on Parliament level of government procedures which often creates frictions. The necessary training in governance on all levels is required in this regard.
- There is in general misunderstanding and/ or a lack of awareness amongst the political parties /MP's-elect regarding the objective of the *Informateurs* process and the effectiveness of same. The rules of engagement of the process should be firmly established to avoid misunderstanding in the future. This should be combined with public awareness campaigns.

## 6. COMMUNITY STAKEHOLDER ENGAGEMENT

Considering the importance of community engagement and participation in the democratic process, forty-five (45) community stakeholders were emailed a questionnaire and requested to respond to the following six (6) questions:

1. What is the name of your organization, and what aspect of the community do you represent?
2. What is your interpretation of the election results?
3. Which combination of parties do you consider most ideal to govern the country for the coming four years? Outline the considerations.
4. What do you consider the a) immediate issues, b) most important issues and c) attention points for the incoming Government?
5. What do you consider absolutely unacceptable in governance on Executive and Parliamentary level?
6. Mention any other community considerations for the formation of a new Government, if applicable?

From the aforementioned amount, fifteen (15) stakeholders responded, of which four (4) declined to respond to the questions posed. The response rate was therefore approximately 25 percent. Reasons for declining to respond were primarily being that the entity is a non-political organization and/or seeing no role for their organization in the information process<sup>6</sup>. The lack of response may perhaps point to a disinterest/ misunderstanding of the *Informateurs* process. It was communicated by some respondents that the email ended up in the spam/ junk folder which probably could have contributed to the lack of response. Consequently, some stakeholders may not have received the email. Time constraints to consult with members and associates as well as the formulation of the questionnaire could have also contributed to the lack of responses received.

However, recent newspaper editorials and letters to the editor as well as commentary on the radio and in social media suggests there may be misinformation regarding the *Informateurs* process. Similar sentiments were shared by the parties / MP's-elect as well. The above indicates that there is room for the creation of more public awareness about government formation, political processes and community participatory efforts.

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<sup>6</sup> The intention of questions 2 and 3 has been to provide the community represented by various stakeholders the opportunity to have input beyond the vote on individual candidates within a political party. The formation of Government is part of the democratic process beyond voting; the community should be involved.































The following is a synopsis of the stakeholder responses to the most significant questions.

The general consensus of respondents is that the majority of the population voted for some variant of change. The respondents expressed it shows a general dissatisfaction with the incumbent administration. At the same time, there is concern for stability, as eight (8) seats is a minimum majority. Most stakeholders consider a coalition with at least nine (9) seats, preferably ten (10) seats as most ideal for stability and to bring changes with a 2/3 majority in Parliament. The respondents consider stability of Government as the most important factor. The general consensus of respondents is that cost of living, the completion of the new General Hospital, the GEBE challenges and education matters are some of the most critical issues that must be addressed by the incoming Government. Corruption, lack of integrity and morals and values, as well as unqualified (inadequate level of education) members of Parliament and Ministers is considered unacceptable.







## 7. EXPRESSED WILLINGNESS BY POLITICAL PARTIES TO FORM A COALITION WITH OTHER PARTIES

Although the forming of coalitions is more than numbers, the numbers must be considered to obtain and keep a majority support in Parliament to be able to govern. Based on the results of the election and the assignment of the Governor, the *Informateurs* considered various combinations of the six (6) elected political parties with one or more seats, that would result in eight (8) or more seat representation in Parliament. Coalition combinations consisting of three (3) and four (4) parties were considered. This resulted in parliamentary support ranging from eight (8) to eleven (11) seat majorities.

Responses communicated by the five (5) parties to the question; ‘Which combination(s) of parties do you consider the most viable coalition to form a stable Government for the coming four years?’, provided valuable information regarding the preferences to work together. The figure  in the table below represents expressed willingness to form a coalition with one (1) or more of the parties mentioned in each row. The  figure represents their responses on the question; ‘Which party are you least inclined to form a coalition with?’. As a result, once a  is included in the proposed coalition (presented in the row), it does not have the support of one (1) or more parties. One (1) party indicated not to be fully opposed to forming a coalition with one (1) or more of the other parties reflected with the  figure in the pertinent rows. The responses provided in this regard were verified during the interviews and confirmed.

	NOW (2) 	UPP (3) 	PFP (2) 	URSM (2) 	NA (4) 	DP (2) 
<b>8 seats with 3 parties</b>						
						
						
						
						
						
						
<b>8 seat majority with 4 parties</b>						



NOW (2)	UPP (3)	PFP (2)	URSM (2)	NA (4)	DP (2)
					
✓		✓	✓		✓
<b>9 seat majority with 3 parties</b>					
✗	✓			✓	
	✓	✗		✓	
	✗		✗	✓	
	✓			✓	✗
<b>9 seat majority with 4 parties</b>					
✗	✗	✗	✗		
✗	✗		✗		✗
✗	✓	✗			✗
	✓	✗	✗		✗
<b>10 seat majority with 4 parties</b>					
✗		–		✓	✓
✗		–	✗	✓	
		–	✗	✓	✓
✗			✗	✓	✓
<b>11 seat majority with 4 parties</b>					
✗	✓	✗		✓	
✗	✗		✗	✓	
✗	✓			✓	✗
	✗	✗	✗	✓	
	✓	✗		✓	✗
	✗		✗	✓	✗

The above table and analysis show that the NOW, PFP, URSM and DP political parties have a preference to join together, above any other combination of parties, to form a coalition with an eight (8) seat majority in Parliament. This is reflective of the coalition agreement signed on January 13, 2024 between the pertinent parties. Analysis of the above table also reveals the possibility of a coalition between PFP, NA and DP with an eight (8) seat majority in Parliament. This option will need further deliberation, considering that one (1) of the parties in the row expressed some reservations.

The reasons given by almost all political parties for their reservations or unwillingness to collaborate with certain parties are primarily based on perceived former wrongdoings, prior and current conduct of representatives, scandals and incidents in previous years, disregard and disrespects shown by past and current Ministers, and lack of reliability based on earlier experiences. Two (2) political parties did mention misalignment in vision and policy.



Additionally, it is noteworthy to mention that during the interviews, it was revealed that discussions to form a coalition have been ongoing between MP's-elect on an individual basis outside party alliances. This could mean fragmentation of seats and change the landscape of possible coalitions. Individuals could choose to leave a political party and join a coalition as an independent.

## 8. CONCLUSIONS: BEYOND THE HANDSHAKE OF A COALITION

### 8.1. MANIFESTOS, QUESTIONNAIRES AND INTERVIEWS

Reviewing and comparing the Manifestos of all parties that won a seat in the elections reveal that there is no substantial difference in ideology between the parties. The areas covered in the Manifestos show no significant comprehensive differences. However, emphasis and level of specification between the Manifestos differ. Responses to the questionnaire revealed that understanding of local & geopolitical context, educational background, commitment to public service, political skills, public trust as criteria to select Ministers are mentioned by just one (1) or two (2) parties, while policy related topics is mentioned by only one (1) party as a breaking point for cooperation on Executive level. Addressing electoral reform, ship-jumping, and the undermining of the party-political system are topics explicitly considered by only one (1) party in answering the various themes presented in the questionnaire. Subjective party and/ or personal inclinations in general set the tone for collaboration or not with other parties. Alignment of beliefs and common goals can be sought and achieved with persons and not necessarily with a party. Hence individual contacts trying to convince others to form a coalition outside party alliances. Such inclinations – greatly confirmed in the interviews- rather than preferences over more objectively measurable alternative, or specific public policies play a notable role in forming coalitions along party lines.

Public involvement and participation beyond elections is a trend in modern democracies. This takes both political and community maturation. Seeking the opinion of stakeholders in order to acquire community support to strengthen the formation of Government did not yield the expected results. Only 25 percent of the stakeholders addressed with a short questionnaire, responded. Many declined and/ or preferred to stay away from providing an opinion regarding the formation of a coalition. This regardless of the fact that the formation of a coalition to govern the country and establish policies will affect all citizens for the coming four years.

### 8.2. THE COALITION OF FOUR: URSM, DP, PFP, NOW

On January 13, 2024, a group of four parties that won seats in the election – the URSM, DP, PFP, NOW – signed a coalition agreement with the intention to sign a Coalition Accord within twenty-one (21) days. The Governor was accordingly informed. As a result of consultations with the party leaders involved, the Governor decided to appoint two *Informateurs*, giving consideration to the intention expressed by the group of four.

By letters dated January 18, 2024, the *Informateurs* were appointed and immediately set out to explore the possibilities for the formation of a Cabinet that can count on a broadest support possible in Parliament as instructed, considering the intention for cooperation expressed by four political parties. Notwithstanding the request of the four parties to proceed in talks with the *Informateurs* as a group, limiting the possibility to delve deeper with the parties into the goals, objectives, approaches and other aspects of coalition forming, the *Informateurs* sought to obtain additional information by a follow up letter to the group after the interview. By letter dated January 30, 2024, Dr. L. Mercilina reiterated statements made during the interview: *'that there are organized structural discussions/ meetings ongoing between the four political parties (URSM, DP, PFP and NOW) ... that our discussions with the Informateurs... have evidently taken into account the topics outlined in*



*the Governor's assignment delegated to the informants. The ongoing negotiations between the coalition parties will lead to crystallization on a short term of the much-anticipated Governing Accord that ultimately will serve as a guideline to formalize the Governing Program. Rest assured that substantial responsible attention will be given in the Governing Accord/Program to all areas that are negatively influencing the socio-economic sustainability and holistic development of Country Sint Maarten.'*

The above stated letter did not provide the *Informateurs* any tangible information regarding the state of negotiations of the Coalition of Four. Neither were concrete plans of actions up for negotiations in the formation stage to promote alignment on policies and to safeguard the democratic process shared during the interview with the group of four. The main criterion available to the *Informateurs* in support of this Coalition of Four are the preferences for collaboration expressed by three (3) of the four (4) parties in response to the questionnaire. In addition, the parties stated during the interview that they are committed to the crystallization of the Coalition Accord, that ultimately will serve as a guideline to formalize the Governing Program.

Bearing in mind that Manifestos are drafted to inform the public about the parties' intentions to get in office, coalition forming goes beyond the intentions of a handshake.

### 8.3. IN SUMMARY

The *Informateurs* conclude all things considered, that they are not able to present a coalition of parties representing a broadest support in Parliament. Expressed inclinations to work with others based on more personal affiliations, rather than supported by party selections over alternative policies and/ or implementation of specific public policies, are key factors hindering same. However, the Coalition of Four expressed willingness and commitment to form the next Government supported by a majority of eight (8) seats in Parliament. To this extent a Coalition Agreement has been signed.

The *Informateurs* could not establish the common goals, objectives, approaches and other aspects for coalition forming, nor identify notable arguments and/ or positions brought forward to support the formation of a coalition government by the four political parties that signed a Coalition Agreement on January 13, 2024. Lack of a response to the questionnaire by one of the coalition partners prevented a broader review based on eight (8) seats. Giving consideration to the expressed willingness to move forward with the formation of the next Government, it would be the responsibility of the *Formateur* to establish same by means of the prospective Coalition Accord and Governing Program to be signed.

## EPILOGUE

Sint Maarten has evolved from not being able to maintain a Government for a full term of four (4) years, even though alliances within Parliament to support the Government did change to achieve this. Notable is the amount of Members of Parliament, who declared themselves independent during the Parliamentary term. The inclination of independence away from party alliances seems to be still present. It therefore behooves Parliament, political parties, aspiring politicians and concerned citizens in general, to look beyond the coalition handshake in the process of forming coalitions to govern the country with stability and continuity for a full Parliamentary period of four (4) years. Coalition Accords and Governing Programs without transparency in application and compliance are mute.

Operating more than a decade as an autonomous territory requires analyzing lessons learned and comprehensive assessment of the political environment.



A non-exhaustive list of areas for consideration are:

- Objectives for political participation: party preference over alternative policies and implementation of specific public policies versus politicians' desire to get into office/control of areas of power.
- Willingness to collaborate in Government duties in the interest of the public or blackmail behavior between political parties to secure interests and maintain power.
- Reassessing the steps most appropriate to Sint Maarten (culture being considered) for coalition forming, including the authority to be in charge and the time span to ensure stability.
- Political and community engagement; awareness and growth to support democratic processes.
- Parliamentary support: relation Parliament and Executive branch.
- History; past experiences which give reasons for political mistrust.
- Electoral reform versus Political system reform.

The *Informateurs* express thanks and appreciation for having been considered for this honorable assignment in the interest of the community. We consider this an honor!

A sincere word of thanks goes out to the support staff, Ms. Felisha Aakster and Mr. Randolph Duggins, who did not hesitate to come on board to assist in executing the assignment. Without their valuable input and support, the assignment and reporting could not be done. The same goes for the unwavering cooperation of their respective employers, SOAB and Bureau Ombudsman.

The *Informateurs*,



Dr. R.J.A. Arduin



drs. C.B. Joseph

## APPENDIX A – QUESTIONNAIRE SENT TO THE POLITICAL PARTIES



### To the Elected Political Party Leaders:

Mr. Christophe Emmanuel (NOW) - [redacted]  
Mr. Omar Ottly (UPP) - [redacted]  
Ms. Melissa Gumbs (PFP) - [redacted]  
Dr. Luc Mercelina (USRM) - [redacted]  
Ms. Silveria Jacobs (NA) - [redacted]  
Ms. Sarah Wecot-Williams (DP) - [redacted]

by email

Philipsburg, January 21, 2024

Dear Sirs and Madams,

Pursuant to the assignment of the Governor of Sint Maarten, His Excellency Ajamu G. Baly, the undersigned, Dr. R.J.A. Arduin and drs. C.B. Joseph, request your attention for the following.

Upon consultation of the six parties that won one or more seats in the Parliamentary elections of January 11, 2024, the Governor requested the undersigned persons to jointly act as Informants (Dutch 'informateurs') and explore the possibilities for forming a Government Cabinet that can count on a broad based support in Parliament. Due consideration should be given to the fact that four of mentioned parties signed a coalition agreement with the intention to sign a Coalition Accord. The Governor's assignment requires consultation with community stakeholders regarding their views for the new governing period in order to strengthen the support for the execution of policies.

Special attention is requested for:

- *The sustainability of public finances, including in connection with the reliability of the collection of taxes and fees and the simplification of the tax system;*
- *Law enforcement, in particular the imbalance in the enforcement chain and the construction of the new prison;*
- *Monitoring the progress of the reconstruction projects and processes, the mutual arrangements between the Netherlands and Sint Maarten and the implementation of the Country Package;*
- *The legal position of civil servants and the building of sufficient substantive and formative capacity in the government (including by paying attention to good employment conditions, sufficient growth of new talent and attention to the Sint Maarten diaspora, in addition to opportunities for sufficient personal growth of government employees, both in horizontal and vertical sense);*



- *Economic resilience, also in the longer term;*
- *Health:are, also in the longer term;*
- *Governance of public companies.*

Time is of the essence, as such the above stated attention points will be discussed and elaborated on in separate conversation to be scheduled on January 27 and 28, 2024 with the parties involved. The exact time and location will be communicated in the course of the week.

Considering the Governor's assignment, your cooperation is hereby requested to share your party's position in writing pertaining to the following questions, in preparation of above-mentioned conversations.

#### Exploratory questions

1. What role should the National Vision Plan (2022) of Sint Maarten play in establishing the Governing Accord and Governing Program?
2. What does the party want to achieve in the next governing period?
3. How do you envision aligning the Governing Program with ongoing government plans and activities?
4. Which combination(s) of parties do you consider the most viable coalition to form a stable government for the coming four years? Motivate the considerations.
5. Which party are you least inclined to form a coalition with? Motivate the concerns.
6. Who do you consider the most likely candidate for Prime Minister? Motivate the considerations.
7. What criteria should be considered in selecting Ministers? Motivate the considerations.
8. Mention the three most important issues, which would be a breaking point for cooperation on Executive level.
9. What are the party's views on Kingdom relations (all countries within the Kingdom, including the BES)?
10. What are the party's views on Caribbean and Regional relations?
11. Does the party structure provide for internal conflict resolution to manage conflict and prevent escalation? Explain details.
12. Members of Parliament represent the people in general. How does the party consider community outreach, feedback and engagement?
13. Where does the party draw the line between party politics versus governance?

#### Questions regarding coalition formation

14. List at least five top priorities for the coming governing period? List them in categories of immediate, medium and long term.
15. Mention at least five topics which should certainly form part of the Governing Accord.

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P*

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16. Which of your party's priorities are not negotiable?
17. How does the party envision ensuring accountability and transparency in government as components of sustainable decision-making?
18. What are the party's views regarding coalition stability versus party loyalty?
19. Provide concrete proposals the party would apply to hold coalition partners accountable for compliance with the rule of law and good governance.
20. What are the party's views on a Code of Conduct for the coalition, including guidelines for conflict resolution among coalition partners?

You are requested to submit your answers by return email ( [redacted] ) no later than Tuesday, January 23, 2024, at 17:00 hours.

Sincerely,

The 'informateurs',



Dr. R. A. Arduin



Dr. C. B. Joseph

