

**Policy Review of Article 8 of the Budget of Kingdom Relations
Netherlands Ministry of the Interior and Kingdom Relations (BZK)**

**EMERGENCY RESPONSE AND RECONSTRUCTION
IN SINT MAARTEN, SINT EUSTATIUS AND SABA
SYNTHESIS REPORT
31 October 2022**

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Disclaimer

The views expressed in this report are those of the evaluator. They do not engage the Netherlands Ministry of the Interior and Kingdom Relations (BZK) nor other parts of the Government of the Netherlands in any way. While an attempt has been made to take into consideration views and perspectives of stakeholders consulted in the Netherlands and in Sint Maarten, the interpretation of this type of information, and all findings, conclusions and recommendations in this report are the exclusive responsibility of the author.

"When the wind blows, the chicken's ass is exposed"
(Caribbean saying)

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List of acronyms and abbreviations

Acronym / abbreviation	Meaning
AMFO	Foundation Antillean Cofinancing Organisation (<i>Stichting Antilliaanse Medefinancieringsorganisatie</i>)
Art.	Article
ATRP	Airport Terminal Reconstruction Project
BES	Bonaire, Sint Eustatius and Saba
BETF	Bank-executed Trust Fund
Buza	(Netherlands) Ministry of Foreign Affairs
BZK	(Netherlands) Ministry of the Interior and Kingdom Relations (<i>Ministerie van Binnenlandse Zaken en Koninkrijksrelaties</i>)
CARTAC	Caribbean Regional Technical Assistance Center of the International Monetary Fund
CBS	(Netherlands) Central Office for Statistics (<i>Centraal Bureau voor de Statistiek</i>)
CCRIF	Caribbean Catastrophe Risk Insurance Facility
CDEMA	Caribbean Disaster Control and Prevention
COHO	Caribbean Mechanism for Reform and Development
COT	Institute for Security and Crisis Management (<i>Crisis Onderzoeksteam</i>)
CRPP	Child Resilience and Protection Project
CSO	Civil Society Organisation
CSPFRP	Civil Society Partnership Facility for Resilience Project
DAC	(OECD) Development Assistance Committee
DGTP	Digital Government Transformation Project
DRF	Disaster Relief Fund
EDMP	Emergency Debris Management Project
EDP	Emergency Disaster Preparedness Plan
e.g.	For example
EIB	European Investment Bank
EISTP	Emergency Income Support and Training Project
EOC	National Emergency Operation Centre
ERP-I	Emergency Recovery Project I
ESIA	Environmental and Social Impact Assessment
ESF	Emergency Service Functions (Sint Maarten)
ESF	Environmental and Social Framework (World Bank)
ESMP	Environmental and Social Management Plan
ESP	Enterprise Support Project
EUR	Euros
FRLP	Fostering Resilient Learning Project preparation grant

GDP	Gross Domestic Product
GEBE	Sint Maarten's Utility Company
HRPP	Hospital Resiliency and Preparedness Project
HUREX	Hurricane Exercise
Ibid.	At the same place
ICCB	Interdepartmental Committee on Crisis Management
ICT	Information and Communication Technology
i.e.	That is
I&W	(Netherlands) Ministry of Infrastructure and Water Management (<i>Ministerie van Infrastructuur en Waterstaat</i>)
IFV	Institute for Public Safety (previously <i>Instituut voor Fysieke Veiligheid</i>)
IMF	International Monetary Fund
IMF-CARTAC	Caribbean Regional Technical Assistance Center of the International Monetary Fund
IRC	Interim Recovery Committee.
ISRS	Integrated Social Registry System
JenV	(Netherlands) Ministry of Justice and Security
KPSM	Sint Maarten Police Force
Kstk	Document of Parliament (<i>Kamerstuk</i>)
MCCB	Ministerial Committee on Crisis Management
MECYS	(Sint Maarten) Ministry of Education, Culture, Youth, and Sports
MHF	Mental Health Foundation
MinDef	(Netherlands) Ministry of Defence
MSME	Micro, small and medium enterprises
MTR	Mid-Term Review
Naf	Netherlands Antilles Guilder
NCTV	National Coordinator for the Fight Against Terrorism and for Security (<i>Nationaal Coördinator Terrorismedbestrijding en Veiligheid</i>)
NGO	Nongovernmental Organisation
NLRC	Netherlands Red Cross
NOC*NSF	Netherlands Olympic Committee / Netherlands Sport Federation
NRPB	National Recovery Program Bureau
NRRP	National Recovery and Resilience Plan
OCW	(Netherlands) Ministry of Education, Culture, and Science
OECD	Organisation for Economic Cooperation and Development
ORVG	Cooperating services under Mutual Agreement Border Control Sint Maarten (<i>Onderlinge regeling versterking grenstoezicht Sint Maarten</i>)
RAP	Resettlement Action Plan
RPE	Regulation on Periodic Policy Evaluations
PAHO	Pan-American Health Organization

PJIA	Princess Juliana International Airport
PJIAE	Princess Juliana International Airport Operating Company N.V.
PJIAH	Princess Juliana International Airport Holding Company N.V
PM&A	Program Management and Administration
PPG	Project Preparation Grant
RAP	Resettlement Action Plan
RBM	Results based management
RCNL	Red Cross Netherlands
RETF	Recipient-executed Trust Fund
R4CR	Resources for Community Resilience / Civil Society Partnership Facility for Resilience Project
SC	Steering Committee
SF	Sint Maarten Trust Fund Strategic Framework
SMHDF	Sint Maarten Housing Development Foundation
SMDF	Sint Maarten Development Foundation
SMMC	Sint Maarten Medical Center
SSCS	Saba, Statia Cable System
SRU	Social Registry Unit
STENAPA	Sint Eustatius National Parks Foundation
SWM	Solid Waste Management
SXM TF	Sint Maarten Reconstruction, Recovery and Resilience Trust Fund
TDSR	Temporary Debris Storage and Reduction
TF	Trust Fund
UN	United Nations
UNDAC	United Nations Disaster Assessment and Coordination Team
UNDP	United Nations Development Programme
UNICEF	United Nations Children's Fund
UNICEF-NL	United Nation Children's Fund Netherlands
UNOCHA	United Nations Office for the Coordination of Humanitarian Affairs
UNOPS	United Nations Office for Project Services
USD	United States Dollar
USAR	Dutch Urban Search and Rescue Team
USONA	Implementing Organization of the Development Foundation Netherlands Antilles (<i>Uitvoeringsorganisatie Stichting Ontwikkeling Nederlandse Antillen</i>)
VNACS	Representation of the Netherlands in Aruba, Curaçao and Sint Maarten (<i>Vertegenwoordiging van Nederland in Aruba, Curaçao en Sint Maarten</i>)
VNG-I	Association of Netherlands Municipalities - VNG-International (<i>Vereniging van Nederlandse Gemeenten Internationaal</i>)
VROMI	(Sint Maarten) Ministry of Public Housing, Spatial Planning, Environment, and Infrastructure

VSA	(Sint Maarten) Ministry of Public Health, Social Development and Labor
VWS	(Netherlands) Ministry of Health, Welfare and Sport
WB	World Bank
WYCCF	White-Yellow Cross Care Foundation

Preface

The present study is the synthesis report of a policy review concerning Article 8 of the Netherlands Budget of Kingdom Relations labelled "Reconstruction in the Windward Islands"¹. It covers the restoration of basic services and infrastructure in Sint Maarten, Sint Eustatius and Saba to levels, which existed before Hurricanes Irma, Jose and Maria that impacted the islands in September 2017.

The policy review was announced to the Netherlands Parliament (House of Representatives – *Tweede Kamer*) on 21 September 2020 with a description of the intended overall design, goal, evaluation questions, delineation, methodological approach, timelines and institutional arrangements². The initial commitment was that the policy review would be presented to Parliament during the last quarter of 2021. This date was, however, revised at a later stage to last quarter of 2022³.

For analytical purposes, the overall evaluation was sub-divided into three parts: a) part I: emergency assistance on all three islands (including early recovery in Sint Maarten) – Article 8.2.; b) part II: reconstruction in Sint Maarten – Article 8.1.; c) part III: reconstruction in Saba and Sint Eustatius – Article 8.1.

The present study is the synthesis of two studies undertaken by two different consultants: parts I / III were the responsibility of Ecorys, which is an independent research and consultancy company, while part II was implemented by independent evaluation consultant Lucien Bäck, who is also the author of this synthesis report. For details reference is made to the reports of partial studies I / III and II.

For activities related to emergency assistance in 2017, early recovery in Sint Maarten during the first half of 2018, and reconstruction in Saba and Sint Eustatius between 2017 and 2021 (parts I / III) this policy review is an end-evaluation. For reconstruction activities in Sint Maarten (part II) originally scheduled to be completed at the end of 2025 this is a mid-term review.

It should be mentioned that the duration of the World Bank supported Trust Fund was recently extended by 36 months beyond the scheduled end-date of 31 December 2025, i.e. until 31 December 2028, by decision of the Council of Ministers of the Kingdom (*Rijksministerraad*) of 21 June 2022.

Only activities completed by 31 December 2021 have been taken into consideration in this evaluation. Activities undertaken and results achieved in Sint Maarten in 2022 have not been taken into consideration in this study.

Conclusions and recommendations in this synthesis report are not mere reproductions of those contained in the partial studies. The synthesis report pursues the ambition to consider the unfolding of post-hurricane responses and support to the islands by the Netherlands since 2017 in context. The aim is to achieve a higher level of analysis. Recommendations are also meant to be as strategic and useful as possible, for the Ministry of BZK, as well as other ministries and

¹ Article 8 of chapter IV (Kingdom Relations) of the national budget (Parliamentary Paper 33 189, no. 12 and *Wijziging van de begrotingsstaten van Koninkrijksrelaties (IV) voor het jaar 2018 (Derde incidentele suppletoire begroting inzake wederopbouw Bovenwindse Eilanden)*, kstk. 34988-2 d.d. 6 juli 2018.

² *Brief van de Staatssecretaris van Binnenlandse Zaken en Koninkrijksrelaties aan de Voorzitter van de Tweede Kamer der Staten-Generaal, onderzoeksopzet beleidsdoorlichting begrotingsartikel 8 Ministerie van BZK, 21 september 2020* <https://www.rijksoverheid.nl/documenten/kamerstukken/2020/09/21/kamerbrief-onderzoeksopzet-beleidsdoorlichting-artikel-8-bzk-begroting>, website consulted on 26 September 2022. See Annex II.

³ *Kstk 33189, Nr. 13, Brief van de Staatssecretaris van Binnenlandse Zaken en Koninkrijksrelaties aan de Voorzitter van de Tweede Kamer der Staten-Generaal, 17 december 2020, Antwoorden op vragen commissie over de onderzoeksopzet beleidsdoorlichting begrotingsartikel 8 Koninkrijksrelaties* https://www.tweedekamer.nl/kamerstukken/brieven_regering/detail?id=2020Z25295&did=2020D53094 website consulted 26 September 2022. See Annex III.

partners, with a view to contribute to better responses to similar crises and support to reconstruction in the future.

As the extension of the Trust Fund until 2028 coincides with key recommendations of this report, the forward-looking part of this study may already appear somewhat out of date by the time when the report reaches Parliament during the last quarter of 2022. It is nevertheless hoped that recommendations will still be useful for the actual shaping of the Trust Fund between now and the end of 2028.

At this point, the author of this report, independent evaluator Lucien Bäck, on behalf of himself and also the Ecorys team, would like to thank all those who have guided the evaluation between March 2021 and October 2022.

Thanks are due especially to Mr. Wim Bekker and Mr. Patrick Vonk, who managed the evaluation on behalf of the Ministry of the Interior and Kingdom Relations (henceforth referred to as Ministry of BZK⁴) and who took upon themselves the onerous task of compiling key documents from the archives of the Ministry and other public services in the Netherlands. They also facilitated interviews and supported the Evaluation Advisory Committee (see below).

Special thanks are due to Mr. Ted Kliet, External Independent Adviser, who undertook several rounds of diligent and meticulous reading of draft versions of the partial reports and the synthesis report and provided most helpful general and specific comments as part of his quality assurance assignment. The evaluation also benefitted from advice provided by the inter-ministerial Evaluation Advisory Committee chaired by Mr. Sjef IJzermans (see Annex III for the names of members in the Committee). The critical role of the Committee is gratefully acknowledged.

The contributions of two members of the Evaluation Advisory Committee should especially be mentioned with thanks, as they provided crucial information on legal provisions concerning emergency assistance and on implementation of these provisions on the three islands during the crisis at the beginning of September 2017: Mr. Willy Steenbakkers of the Ministry of Justice and Security, and Mr. Bas Beijnvoot of the Ministry of Defence.

It should be mentioned that all experts guiding the evaluation duly respected the independence of the evaluators, who therefore assume full responsibility for findings, conclusions and recommendations in this report and in their respective partial reports (see also disclaimer on the title pages of this report and of the partial reports).

Although the reviews of parts I/III and II followed different paths and resulted in separate reports, close coordination could be ensured between Ecorys, the consultancy firm in charge of parts I/III, and the author of this report on part II. Support by Mr. Michel Briene, Ms. Elvira Meurs and Ms. Simone Snoeijsbos is gratefully acknowledged especially for the organisation of interviews during the field trip to Sint Maarten (8-20 November 2021) and by videoconferencing with stakeholders in the Netherlands and other parts of the Kingdom.

Annex III contains the full list of these stakeholders in the Ministry of BZK, other Ministries in the Netherlands, as well as among other public and non-governmental partner organisations. Their contributions through interviews and in some cases written comments have been much appreciated. The Ecorys team would also like to acknowledge support granted by the authorities of Saba and Sint Eustatius.

Members of the crisis team in the Ministry of BZK, Mr. David de Boer, Ms. Amber Hof, Mr. Wilfred Muller, and Mr. Mark Schumm provided valuable information on adjustments made in the Ministry of BZK since 2018 on the basis of lessons learned.

⁴ Dutch acronym for *Ministerie van Binnenlandse Zaken en Koninkrijksrelaties*. Kingdom relations are the mandate of the *Directoraat Generaal Koninkrijksrelaties (DGKR)*.

The field visit to Sint Maarten was kindly coordinated by Ms. Nerissa Cornelia, Legal Policy Adviser in the Cabinet of the Prime Minister of Sint Maarten. Mr. Marcel Gumbs, the Sint Maarten Representative in the Trust Fund Steering Committee, made himself available for an extensive interview. Most precious was also support provided by management and staff of the National Recovery Program Bureau, especially Mr. Clarent Connor, Mr. Abel Knottnerus, Ms. Olivia Lake and Mr. Thijs Laurensse, both during the field visit and through email exchanges during the report-writing phase.

Throughout the evaluation process, Ms. Michelle Keane, World Bank Program Manager, provided a wealth of information and helped the evaluator of part II negotiate the single-audit principle and regulated public information policies of the Bank. It was agreed that this review focused on the contribution of the Netherlands to reconstruction in Sint Maarten under Article 8 and would not be an evaluation of the World Bank supported Trust Fund. Only information available in the public domain on Trust Fund activities has been used in this report.

Amsterdam, 31 October 2022

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Independent Evaluation Consultant.

Executive summary

The design of this policy review was described in a Letter by the State Secretary of BZK⁵ to Parliament (*Tweede Kamer*) sent on 21 September 2020 (see Annex I)⁶. The review is governed by provisions of the Regulation on Periodic Policy Evaluations (RPE) of 15 March 2018⁷. The Letter contains a description of the intended overall design, goal, evaluation questions, delineation, methodological approach, timelines and institutional arrangements of the review⁸.

The design of the policy review was further elaborated on in a Letter by the State Secretary of BZK to Parliament on 17 December 2020, which contained replies to questions asked by Parliamentarians and announced, *inter alia*, that the outcome of the policy review would be presented to Parliament in 2022 (Annex II)⁹.

Evaluation questions spelled out in the Letter of 21 September 2020 closely follow the standard questions pertaining to a policy review under the above-mentioned Regulation on Periodic Policy Evaluations (RPE). This executive summary summarizes findings of this policy review under the headings of the evaluation questions. The summaries are based on section 3 with findings in this synthesis report as well as on conclusions and recommendations that appear in sections 4, 5, 6, and 7¹⁰.

1. What article(s) (or article part(s)) is/are considered in the policy review?

The islands of Sint Maarten, Saba, and Sint Eustatius were heavily impacted by devastating Hurricanes Irma, Jose and Maria in September 2017. Sint Maarten was particularly hard hit by Hurricane Irma which struck on 6 September 2017.

The focus of this policy review is on Article 8 of the Budget of Kingdom Relations¹¹ administered by the Ministry of BZK. Article 8 is labelled "Reconstruction in the Windward Islands¹²" and specifically aims at the restoration of basic services and infrastructure for citizens in Sint Maarten, Sint Eustatius and Saba to levels which existed before the hurricanes¹³.

Article 8 of the Budget of Kingdom Relations covers a) emergency assistance to Sint Maarten, Saba, and Sint Eustatius (Article 8.2); and b) support to reconstruction on all three islands (Article 8.1).

⁵ Dutch acronym for *Ministerie van Binnenlandse Zaken en Koninkrijksrelaties*.

⁶ *Brief van de Staatssecretaris van Binnenlandse Zaken en Koninkrijksrelaties aan de Voorzitter van de Tweede Kamer der Staten-Generaal, onderzoeksopzet beleidsdoorlichting begrotingsartikel 8 Ministerie van BZK, 21 september 2020* <https://www.rijksoverheid.nl/documenten/kamerstukken/2020/09/21/kamerbrief-onderzoeksopzet-beleidsdoorlichting-artikel-8-bzk-begroting>, website consulted on 26 September 2022. See Annex I.

⁷ *Regeling Periodiek Evaluatieonderzoek* 15 March 2018 <https://wetten.overheid.nl/BWBR0040754/2018-03-27>, website consulted on 26 September 2022.

⁸ <https://www.rijksoverheid.nl/documenten/kamerstukken/2020/09/21/kamerbrief-onderzoeksopzet-beleidsdoorlichting-artikel-8-bzk-begroting>, website consulted on 26 September 2022.

⁹ Kstk 33189, Nr. 13, *Brief van de Staatssecretaris van Binnenlandse Zaken en Koninkrijksrelaties aan de Voorzitter van de Tweede Kamer der Staten-Generaal, 17 december 2020, Antwoorden op vragen commissie over de onderzoeksopzet beleidsdoorlichting begrotingsartikel 8 Koninkrijksrelaties* https://www.tweedekamer.nl/kamerstukken/brieven_regering/detail?id=2020Z25295&did=2020D53094 website consulted on 26 September 2022.

¹⁰ For further in-depth information, reference is made to the partial studies I / III and II.

¹¹ Article 8 of chapter IV (Kingdom Relations) of the national budget (Parliamentary Paper 33 189, no. 12 and *Wijziging van de begrotingsstaten van Koninkrijksrelaties (IV) voor het jaar 2018 (Derde incidentele suppletoire begroting inzake wederopbouw Bovenwindse Eilanden)*, kstk. 34988-2 d.d. 6 juli 2018.

¹² The report follows the tradition in Dutch to describe the islands of the Lesser Antilles north of Dominica as *Windward Islands*. This is the literal translation of the corresponding term in Dutch "*Bovenwindse Eilanden*". In English the islands north of Dominica, including Sint Maarten, Saba, and Sint Eustatius, are usually described as "*Leeward Islands*", whereas for the Lesser Antilles south of Dominica the term "*Windward Islands*" is used. The Dutch linguistic preference is followed as the main audience of the report is in the Netherlands.

¹³ The Government of the Netherlands also provided emergency assistance and support to reconstruction from other sources of financing outside Article 8. See section 1.3.

2. Where applicable, when will the other article parts be reviewed?

The question is not applicable to this review, as both parts of Article 8 are addressed. The policy review was divided into three parts: a) part I: emergency assistance on all three islands and early recovery in Sint Maarten¹⁴; b) part II: reconstruction in Sint Maarten; and c) part III: reconstruction in Sint Eustatius and Saba.

The three parts were addressed in two studies to be undertaken by separate independent evaluators: parts I and III in one study to be implemented by Ecorys, which is an independent research and consultancy company, while part II was the responsibility of independent consultant Lucien Bäck, who is also the author of this synthesis report.

The reports of these two studies are available as self-standing documents. They have fed into the present synthesis report to be presented to Parliament in the Netherlands during the last quarter of 2022.

3. What prompted the policy? Is the cause still relevant?

In the immediate aftermath of the hurricanes, the Government of the Netherlands provided emergency assistance to Sint Maarten as well as to the islands of Saba and Sint Eustatius, the latter two having been relatively spared by Hurricane Irma. But the other two islands were shortly after also impacted by Hurricanes Jose and Maria. Emergency assistance in 2017 was followed by multi-year support to reconstruction in all three islands as from the end of 2017.

The cause is still relevant, as the Windward Islands are prone to hurricanes every year. According to the Letter of 21 September 2020, the policy review pursues two objectives: a) assessment of effectiveness and efficiency of Dutch spending under Article 8; and b) assessment of effectiveness and efficiency of the implementation structure put in place for the reconstruction in Sint Maarten.

This is a full end-evaluation of emergency assistance completed in 2017, early recovery activities in Sint Maarten completed in mid-2018, and support to reconstruction in Saba and Sint Eustatius completed at the end of 2021.

The core of support to reconstruction in Sint Maarten is the World Bank executed Trust Fund, which formally commenced operations on 16 April 2018, and which was originally to end on 31 December 2025¹⁵. Part II of this policy review has therefore been a mid-term evaluation. A final evaluation of reconstruction activities in Sint Maarten is foreseen once the Trust Fund comes to an end.

4. What is the responsibility of the Government of the Netherlands?

The three islands differ in their relationships with the Kingdom of the Netherlands as defined in the Charter of the Kingdom of the Netherlands adopted on 10 October 2010 (usually referred to as 10-10-10)¹⁶.

Sint Maarten is one of the autonomous countries of the Kingdom, along with Aruba, Curaçao and the Netherlands. Sint Maarten enjoys autonomy in all areas unless limited by provisions of the Charter of the Kingdom or on specific topics defined by mutual agreement. Art 36 of the Charter of the Kingdom stipulates that the countries of the Kingdom provide each other with support and assistance.

¹⁴ As the emergency phase came to an end in November 2017, early recovery activities are addressed as part of reconstruction in Sint Maarten, which started as from December 2017, in this synthesis report.

¹⁵ As of mid-2022, the *Rijksministerraad* approved an extension until 2028.

¹⁶ According to Article 3 of the Charter, the Kingdom is responsible for: a) preserving the independence of the kingdom; b) foreign affairs; c) Netherlands citizenship; d) decorations, flag and coat of arms of the kingdom; e) nationality of and safety requirements for sea vessels; f) admission and deportation of Netherlands citizens; e) admission and deportation of aliens; f) extradition.

By contrast, Saba and Sint Eustatius, along with Bonaire, are public entities (special municipalities) of the country the Netherlands and by this token the Government of the Netherlands exercises direct authority on these islands. Each island also has an executive council that is responsible for that island's day-to-day governance. The executive council implements the decisions of the island council.

These differences in the status of the three islands affected procedures concerning emergency assistance and support to early recovery as well as reconstruction provided by the Government of the Netherlands to the three islands.

5. What is the nature of and relationship between the instruments used?

Emergency assistance under Article 8 was provided between September and 30 November 2017. Support to early recovery in Sint Maarten was implemented between December 2017 and mid-2018 to address immediate humanitarian needs, while the World Bank executed Trust Fund was still being negotiated and set up.

No early recovery phase was required in Sint Eustatius and Saba, as reconstruction works could be initiated as from November 2017. The timeframe for reconstruction in Sint Eustatius and Saba was limited to the period from 10 November 2017 until 31 December 2021.

Reconstruction in Sint Maarten was initially designed to be implemented between 2018 and 2025. Reconstruction included the early recovery phase implemented between December 2017 and during the first half of 2018, the World Bank executed Trust Fund to be implemented initially between 16 April 2018 and 31 December 2025¹⁷, and direct support activities to be implemented between 2018 and 2025¹⁸.

6. What expenditure is associated with the policy, including costs in other areas and for other parties¹⁹?

There were multiple sources of financing outside funding under Article 8 for emergency assistance provided to the three islands and for reconstruction in Saba and Sint Eustatius as well as in Sint Maarten. There is no comprehensive information on all funding comprising in principle other public funds from the Netherlands, private sector resource mobilization in the Netherlands and on the islands, insurance proceeds, etc.

Under Article 8 the allocation for emergency assistance to all three islands in 2017 amounted to a maximum of EUR 55.0 million. The actual disbursement for emergency assistance to all three islands under Article 8 amounted to EUR 40.4 million.

The maximum allocation under Article 8 for the reconstruction of Saba and Sint Eustatius was EUR 18.0 million. Disbursements under this heading exceeded the allocation and amounted to EUR 20.4 million.

It should be noted that funding under Article 8 represented only 30 % of the overall envelope made available by the Government of the Netherlands to reconstruction in Saba and Sint Eustatius totalling EUR 67.9 million, the larger share of which was financed from budget lines of other

¹⁷ As of mid-2022, the *Rijksministerraad* approved an extension until 2028.

¹⁸ Direct support activities could continue until 30 June 2022.

¹⁹ Note in the Letter to Parliament of 21 September 2020: *To answer question 6 in full, information is needed on both public and private local contributions to Saba, St Eustatius and St Maarten. A full understanding is not considered possible, partly because many reconstruction activities are being/will be financed privately. The possibility of taking a different approach will be studied. This approach will entail interviews with key informants and studies of government documents (Saba, St Eustatius and St Maarten) containing information on what has been financed from public funds. Such information can then be checked against the original plans and financial projections.* It should be noted that no comprehensive overview of all public financing could be obtained.

ministries and distinct from Article 8. 57 % of Article 8 funding (EUR 11.6 million) was spent on the stabilization of the cliff on which the national treasure Fort Oranje in Sint Eustatius is located.

For reconstruction in Sint Maarten, the maximum amount of EUR 550.0 million was reserved under Article 8, of which originally a maximum of EUR 470.0 million support through a Trust Fund with the World Bank and a maximum EUR 80.0 million as direct support, for activities to be implemented outside the Trust Fund. The latter amount also comprised a small allocation of EUR 8.0 million for early recovery activities.

It is noteworthy that under Article 8 funding substantial reservations were made especially for liquidity support to Sint Maarten in 2017 and 2018 (EUR 16.9 million in 2018 charged to the original Trust Fund allocation, and EUR 22.8 million in 2017 charged to the original direct support allocation). The Trust Fund was eventually endowed with EUR 438.1 million and availability for direct support was EUR 42.4 million. In the end, as of 31 December 2021, EUR 6.8 million had been spent for early recovery activities and EUR 27.0 million for direct support (see section 1.3. and table 2).

The exclusive focus of the evaluation on effectiveness and efficiency of funding provided under Article 8 of the Budget of Kingdom Relations excludes consideration of other sources of funding for emergency assistance and reconstruction activities on the three islands. These include resources mobilized locally by local and national authorities, by the population, by the private sector, including proceeds from insurance coverage, as well as funding provided under other governmental and non-governmental sources in the Kingdom. In methodological terms, this raises the question to what extent results achieved in the society at large can be attributed to Article 8 funding, and also sheds a different light on the efficiency of inputs and activities. This policy review is therefore at best a contribution analysis, i.e., it can establish a reasonable attribution of results to or credible association with Article 8 funding.

7. What is the justification for the expenditure? How does it relate to the volume/use and price/tariff components?

Emergency assistance: Given the need to act quickly during the emergency phase, it can be assumed that the lowest cost was not the most important selection criterion, but rather the timely availability of the necessary goods and services. Because the Ministry of BZK adopted a simplified tender procedure, with procurement delegated to line ministries, it cannot be verified whether expenditures were fully justified in terms of volume / use and price / tariff components.

The need to base emergency assistance on requests from the islands created some distance between those identifying needs, those describing and interpreting them, those procuring supplies, and finally those in charge of providing them to beneficiaries. The communication between these parties should have been clearer and more timely, particularly when dealing with shipments requiring weeks to arrive. Technical expertise on all sides (or lack thereof) also played a role.

Reconstruction in Saba and Sint Eustatius: There was no clear justification of specific projects that were funded under Article 8. There are no indications that rules of the Government of the Netherlands relating to volume / use and price / tariff components were not followed.

Larger projects, e.g., stabilization of the cliff in Sint Eustatius and restoration of the sea cable, were internationally tendered and respective rules were respected as confirmed by independent audits. Local projects on both islands were granted to local contractors working at local rates and conditions. Over time, materials and labour became more expensive, which led to a situation when an increased effort was requested from the population, i.e., only building materials were supplied and labour costs were no longer covered.

Reconstruction in Sint Maarten (including early recovery): The rather succinct and unspecific nature of the project documents and reports of the early recovery phase is the reason why the documentation is not a good basis for the assessment of effectiveness and efficiency of activities. By and large it can however be stated that the projects met their principal purpose,

which was providing welcome relief to vulnerable segments of the population. As in the case of emergency assistance, it cannot be verified whether expenditures were fully justified in terms of volume / use and price / tariff components.

The policy review could draw on relatively detailed documentation on Trust Fund projects. However, the review did have to face the challenge of respecting the single-audit principle of the World Bank and its public disclosure policies²⁰. In an exchange of correspondence with the Ministry of BZK concerning this policy review during the second half of 2021, the World Bank made it clear that the bulk of information would have to be drawn from publicly available documentation pertaining to the Trust Fund and its activities. In practice, the main source of information was what was accounted for in Trust Fund Annual and Semi-Annual Reports. There is no information on volume/use and price/tariff components under the Trust Fund.

The justification of direct support activities can partly be found in the conditionalities imposed by the Netherlands for the creation of the Trust Fund. Results can be demonstrated for the areas of border control and public law and order. By contrast, it is harder to demonstrate specific effects of activities in support of the Trust Fund, e.g., legal services and technical assistance for the airport and of studies on debris management.

The World Bank and main implementing partners of direct support can be trusted to apply highest accountancy standards, fight corruption, and ensure best possible spending in terms of volumes / use and standards / prices.

8. What evaluations (with sources) have been carried out, how was the policy evaluated and for what reasons?

There have only been partial evaluations of post-hurricane disaster management, which did not specifically cover Article 8 activities, however, and which mostly covered the emergency phase. The Ministry of BZK conducted a review of crisis management in 2018²¹. Other ministries in the Netherlands undertook similar exercises to review their own performance: e.g. the Ministry of Defence²²; the Ministry of Justice and Security²³, and the Ministry of Infrastructure and Water Management²⁴.

Several other studies were also undertaken by specialized institutions²⁵. The Netherlands Court of Audit (*Algemene Rekenkamer*) systematically reviewed post-Irma disaster management in several studies²⁶. In addition, the policy review could rely on mostly rather succinct reporting by implementing organisations.

9. What policy components have not yet been evaluated? Including an explanation of whether or not the effectiveness and efficiency of policy can be evaluated in the future.

The limited evaluation literature mentioned under question 7 mostly covers the emergency and

²⁰ <https://www.worldbank.org/en/access-to-information>, website consulted on 26 September 2022, and <https://pubdocs.worldbank.org/en/288241548255246039/AMS-6-21A-Information-Classification-and-Control-Policy.pdf>, website consulted on 26 September 2022.

²¹ *Ministerie van BZK (mei 2018), Sint Maarten, Irma en BZK: evaluatie crisisbeheer ministerie van Binnenlandse Zaken*. See also: Ministerie van BZK, Vertegenwoordiging van Nederland Willemstad (Juli 2018), Verslag "Lessons learned" van het Crisis Ondersteuningsoverleg Curaçao.

²² *Ministerie van Defensie (mei 2020), Evaluatie militaire inzet orkaan Irma 2017, Den Haag*.

²³ *Ministerie van Justitie en Veiligheid/ Inspectie Justitie en Veiligheid (mei 2018), Onderzoek naar het Systeem van rampenbestrijding op de BES-eilanden. Incidentenonderzoek naar aanleiding van de passage van de orkanen Irma, Jose en Maria. Den Haag (p.37)*.

²⁴ *Ministerie van Infrastructuur en Waterstaat, Inventarisatie kosten noodhulp*.

²⁵ For example, 1. *Instituut Fysieke Veiligheid (2018), Lessen uit crises en mini crises 2017, Arnhem/ Zoetermeer*; 2. *Institute for Physical Safety (April 2018), Hurricane Irma affects Sint Maarten and the Caribbean Netherlands: an evaluation of the Crisis Management provided by the Ministry of Infrastructure and Water Management, Arnhem/ Zoetermeer*; 3. *COT Instituut voor Veiligheids- en Crisismanagement (juli 2018), Evaluatie Nationale Crisisorganisatie Orkaan Irma, Rotterdam*.

²⁶ *Algemene Rekenkamer 2018 en 2020, Focus op de Nederlandse bijdrage aan de wederopbouw van Sint Maarten; 2020; The Legend of Lokhay, mini-audit; 2018, 2019, 2020 en 2021, Resultaten verantwoordingsonderzoek Koninkrijksrelaties (IV) en BES fonds (H)*.

early recovery phases. The bulk of reconstruction activities on all three islands have not been evaluated, with the possible exception of Trust Fund activities, which may have been the subject of Bank-internal reviews and evaluations. Due to the Bank's single-audit principle and disclosure policies (see above), the present policy review had no access to internal Bank reports.

Both partial studies met with significant challenges when attempting to evaluate effectiveness and efficiency of activities under Article 8. This is partly due to the design of the overall policy and of its various parts. The succinctness of the formulation of the overall goal of Dutch support to reconstruction efforts to be deployed in Sint Maarten, Sint Eustatius and Saba, and the absence of more specific, measurable, achievable, relevant and time-bound ("smart") objectives has consequences for the assessment of effectiveness and efficiency as required by the Letter to Parliament of 21 September 2020 for this policy review (see Annex I). Expected outputs (direct results and products), outcomes (higher level effects produced) and impact (ultimate societal effects) were simply not defined from the Dutch side at the outset.

There is hence no way to construct an evidence-based results framework or intervention logic against which to assess achievements. By necessity, this evaluation needed to be less theory-based and more process-oriented.

Another challenge met in the course of both partial studies was that the Ministry of BZK demonstrated weaknesses in its documentation of emergency assistance, early recovery and direct support activities. There are considerable shortcomings in the institutional memory of the Ministry of BZK. Activities funded under Article 8 are generally not well documented. In financial overviews, labelling of disbursements is not sufficiently consistent and systematic and ex-post corrections (due to exchange rate calculations or corrections of mistakes) proved to be more systematically related to the respective budget lines.

One would also expect that specific disbursements can be more easily linked to underlying administrative decisions and contractual agreements with implementing organisations, as well as narrative reporting related to the agreements. Implementing partners are not required to report in more than rather generic terms. It is also cumbersome to trace documents in Digidoc, which is the filing system of the Ministry²⁷. In this context, it should be mentioned that the World Bank more than adequately reports on results achieved and challenges met on the way.

10. To what extent can opinions be expressed on the effectiveness and efficiency of the policy field based on the available study material?

The two partial studies used similar methods to collect the evidence-base for their respective findings. They included a) compilation of comprehensive sets of documents (the desk study)²⁸; and b) interviews with key resource persons and stakeholders (mostly by videoconferencing²⁹, but also during field visits to Sint Maarten, Sint Eustatius and Saba on 8 – 20 November 2021³⁰. In addition, many external stakeholders, including the World Bank, the Government of Sint Maarten, the special municipalities of Sint Eustatius and Saba, and public and private implementing partners were invited to provide comments on advanced drafts of the two reports. Comments provided were duly taken into consideration.

The policy review adheres to commonly accepted professional principles, norms and standards in evaluation, e.g., the "*Better Regulation Agenda*" of the European Union³¹, "*Norms and Standards*"

²⁷ For this policy review, an inordinate amount of time (a full year) was spent to trace documents in financial archives and in Digidoc.

²⁸ For details see the two partial studies.

²⁹ Videoconferencing was unavoidable, as Covid-19 related restrictions were still in place during most of the time when the research was taking place.

³⁰ See Annex III. The evaluators responsible for parts I / III visited Saba and Sint Eustatius on 15 and 18 November 2021, respectively.

³¹ EU Better Regulation : guidelines and toolbox https://ec.europa.eu/info/law/law-making-process/planning-and-proposing-law/better-regulation-why-and-how/better-regulation-guidelines-and-toolbox_en, website consulted on 26 September 2022.

of the United Nations Evaluation Group (UNEG 2016)³², “*UNEG Ethical Guidelines*” (UNEG 2008)³³ and OECD-DAC “*Principles for Evaluation of Development Assistance*”³⁴. All information was to the greatest possible extent triangulated, i.e., drawn from different sources, critically assessed and compared, with a view to provide well founded evidence-based findings and draw reliable and credible conclusions.

The review aimed at greatest possible impartiality and objectivity, without bias or personal perspectives or viewpoints. Conclusions and recommendations are meant to be constructive and practical with a view to allow for an improvement of policies and their implementation in the future.

11. Have the policy goals been achieved?

Emergency assistance: The help and support provided under Article 8 during the emergency response phase was effective in the sense that almost all requests for assistance were met and that the most urgent needs of the population of the three islands were addressed.

Reconstruction in Saba and Sint Eustatius: Article 8 reconstruction activities in Saba and Sint Eustatius were effective, as houses and public spaces were repaired, nature was restored, the cliff was stabilized, and the sea cable was made more robust. Building Back Better principles were applied and some of the infrastructure is in a better condition than before the hurricanes.

Reconstruction in Sint Maarten (including early recovery): As the Ministry of BZK was aware of the fact that setting up the Trust Fund would take some time it foresaw a brief early recovery phase under Article 8 the cost of which was not to exceed EUR 7.0 million. Small scale projects responding to most urgent social needs of the population, e.g., school-feeding, house repairs, psychosocial support, and island clean up were quickly implemented, albeit with mixed results. The most successful projects were those implemented by local organisations or as extensions of running programmes.

The early recovery phase under Article 8 was too limited in scope and duration to adequately address pressing social needs of the population in Sint Maarten, e.g., adequate housing, shelters, schools, and psychosocial support³⁵. There was a considerable gap and discontinuity between limited early recovery activities that came to an end in 2018 and start-up of related Trust Fund activities in 2020-2021.

Implementation through the Trust Fund has resulted in good achievements on major infrastructure projects, notably the Airport Terminal Reconstruction, the Hospital Resilience, and the Emergency Debris Management Projects. Implementation through the Trust Fund has resulted in reasonable achievements in other projects under implementation since 2018 and 2019, while it is too early to assess results for projects started in 2020 and 2021 (see also question 12).

Direct support under Article 8 has produced good results on border control, while achievements in areas related to public law and order are supported by less evidence. The modality has also served as a flexible resource pool for the Ministry of BZK to address technical assistance and other needs in Sint Maarten on an ad-hoc basis.

³² UNEG Norms and Standards, <http://www.unevaluation.org/document/detail/1914> website consulted on 26 September 2022.

³³ UNEG Ethical Guidelines <http://www.unevaluation.org/document/detail/2866>, website consulted on 26 September 2022.

³⁴ OECD DAC, Principles for Evaluation of Development Assistance, 1991, <https://www.oecd.org/development/evaluation/2755284.pdf> website consulted on 26 September 2022.

³⁵ It should be mentioned that between 2017 and 2021, Sint Maarten received substantial funding from the *Nationale Rampenfonds* (NRF) in the Netherlands (see *Fonds NRF voor wederopbouw na Orkaan Irma, eindrapportage bestedingen*, March 2021 <https://nationale-rampenfonds.nl/media/files/204-21-22-07c-nr-irma.pdf> Website consulted on 26 September 2022. Total expenditure amounted to USD 7.3 million between November 2017 and 2021. Although the NRF intended to coordinate activities with the Ministry of BZK and the World Bank, there is no evidence that close cooperation materialized.

12. How effective has the policy been? Have there been positive and/or negative spinoff effects?

Emergency assistance: As damages were relatively limited in Saba and Sint Eustatius, all requests emanating from island authorities were successfully responded to and completed within a short time. In Sint Maarten, the assessment of the Damage Assessment Team of 20 September 2017³⁶ (after Hurricane Maria), showed that the main roads, the airport and the harbour were partly functioning again in Sint Maarten, but still needed further repairs. The situation was the same regarding water supply, electricity supply, gas stations, public services (hospital, police station, fire station and ambulance station) and schools. Most public services were operational approximately one month later, in the first week of October. The majority of aid workers had left the country. On 10 October 2017, Princess Juliana International Airport (PJIA) reopened to commercial services. Prior to this, the airport had only been handling military and relief flights. Although the terminal hall was not operational, all airlines were set to resume operations.

Reconstruction in Saba and Sint Eustatius: Reconstruction works started early after the emergency assistance. Communication with the Ministry of BZK was clear throughout the reconstruction phase. Effective relations resulted in short lines of communication and quick action. Some of the projects were delayed due to shortage of materials and labour, however, extensions were provided by the Ministry of BZK in order to overcome these issues. No specific spinoff effects were reported.

Reconstruction in Sint Maarten (including early recovery): Most of the early recovery projects met the goal of getting to a quick start and directly impacting affected populations, though effectiveness and efficiency varied across projects. Regardless, most projects can be judged to have been moderately to strongly effective and efficient, with the main exception being the housing project of UNDP, which was neither effective nor efficient.

At mid-point of the current implementation period for Article 8 funding, the reconstruction of major infrastructure in Sint Maarten under the Trust Fund shows good achievements or at least results that could realistically be expected. The World Bank has demonstrated great competence on such major projects. Procedural guidelines and safeguards are specifically designed for such projects and have a very beneficial effect. Especially for the Airport and Debris Management projects, they did present challenges for the Government of Sint Maarten and agencies involved in the implementation, as they required new laws and regulations (in the case of debris management) and different management practices. The Sint Maarten Medical Center already worked according to standards that are compatible with World Bank safeguards.

Trust Fund projects started in 2020-2021 include the Enterprise Support Project, the Resources for Community Resilience (R4CR) Project, the Child Resiliency Project and the Digital Transformation Project. The preparation and start-up phases of these projects were lengthy and there was no continuity to projects implemented during the early recovery phase largely by the same implementing agencies. It would be premature to attempt an assessment of their effectiveness at this stage.

As far as direct support is concerned, there is convincing evidence that border control has been considerably strengthened because of direct support funding. Illegal border crossings of people in and out of the country were reduced as well as were smuggling of drugs and weapons, illegal (labour) migration and uncontrolled imports and exports of money and goods. There has been improved practical cooperation with the French side on the island, e.g., in Coast Guard operations.

Direct support activities were not mapped out in any detail at the outset and remained a convenient source of funding for various needs outside the Trust Fund that have arisen in recent years. The Netherlands Government could thus grant comprehensive technical assistance to the Ministry of Ministry of Public Housing, Spatial Planning, Environment, and Infrastructure (VROMI)

³⁶ Koninklijke Luchtmacht, 20 september 2017. Schadebeeld Sint Maarten na orkanen IRMA en MARIA 2017.

and to the Airport, including the funding of legal services and support to financial and technical management. More recently, direct support funding has also been used for activities related to debris management outside the Trust Fund. Direct support to debris management and the Airport complement respective Trust Fund activities and significantly contribute to their success.

The huge volume of funding under Article 8 in combination with strong roles exercised by the Trust Fund and the Netherlands, have unexpected side-effects in Sint Maarten which cannot yet be fully assessed. The insistence on good governance, on adequate procurement rules and social and environmental safeguards by the Trust Fund and the Netherlands has had the positive side-effect that capacities of managerial and technical staff in Sint Maarten have been improved, e.g., in the National Recovery Program Bureau (NRPB), in line ministries and in other partner organisations. The newly acquired skills can be used not only in current jobs, but also in future employment situations. It is too early to measure these positive side-effects in a comprehensive way.

Some features of the Trust Fund and involvement of the Netherlands may have had less desirable side-effects, the full extent of which can also not be assessed at this stage. Among the potentially negative side-effects the following can be mentioned: a) heavy administrative and procedural burdens due to the application of high standards of scrutiny in the financial management, procurement, and safeguards areas; b) an inflationary effect due to the intensive demand for building materials and construction workers; and c) a slowdown in activities; and d) lack of a sense of ownership and leadership because of too heavy-handed external management.

According to some stakeholders in Sint Maarten, Trust Fund priorities could also crowd out other development challenges, e.g., non-addressed dimensions of climate change mitigation, freshwater and wastewater management, the road infrastructure and public transport etc.

13. How efficient has the policy been?

Emergency assistance: As mentioned earlier, timeliness to meet urgent needs was more important than cost-effectiveness (see question 7). At the same time, disaster management systems did not function optimally. Most importantly, there was no supra-island coordination point or coordination team in charge of external help and assistance. Because logistic processes were mainly focused on Sint Maarten, Saba and Sint Eustatius became dependent on the relief goods that were delivered to Sint Maarten. A study carried out on behalf of the Ministry of Justice and Security concluded that while all separate parts of the disaster management system were operational in 2017, there was a lack of coherence and coordination between these parts³⁷. The report therefore found that the disaster management system on these islands did not yet fully function as intended in the BES Safety Act³⁸.

In Sint Maarten there were ambiguities about the division of tasks and responsibilities on a practical level, especially between the Emergency Service Functions (ESFs), and weaknesses in the central role to be assumed by the Prime Minister. As a result, the counterparts of the Ministry of BZK on the island lacked proper guidance and coordination. Due to this lack of coordination, the flow of information was inadequate, and prioritisation was difficult in decision-making in the European Netherlands, at least initially. During the days following Irma, action was therefore based on estimates on the side of The Hague (push) – rather than being demand-driven from the responsible island authorities (pull). Although the worst effects of the hurricanes were quickly addressed, it was not due to the proper functioning of the system.

³⁷ Ministerie van Justitie en Veiligheid/ Inspectie Justitie en Veiligheid (mei 2018), *Onderzoek naar het Systeem van rampenbestrijding op de BES-eilanden. Incidentenonderzoek naar aanleiding van de passage van de orkanen Irma, Jose en Maria. Den Haag (p.5).*

³⁸ Veiligheidswet BES (Bonaire, Sint Eustatius and Saba), 30 september 2010, <https://wetten.overheid.nl/BWBR0028586/2018-08-01> website consulted on 26 September 2022.

Reconstruction in Saba and Sint Eustatius³⁹: For several reasons, the assessment of efficiency of reconstruction on Saba and Sint Eustatius is difficult. Firstly, benefits were not defined clearly as basic principles of results-based management were not applied, neither at the overall policy level nor at the level of specific projects. Secondly, there were no calculations of economic rates of return, neither at the outset nor in the reporting. Finally, the contribution of Article 8 funding (EUR 20.4 million in terms of disbursements) was but a relatively small part of the overall funding to be provided by the Government of the Netherlands (EUR 67.9 million).

Reconstruction in Sint Maarten (including early recovery)⁴⁰: The more successful early recovery interventions under Article 8 were those that built on ongoing activities and allowed organisations to establish realistic goals and meet these within the time period. Others were able to embed early recovery activities into their existing structures, allowing them to make use of their local relations and networks. Organisations with less experience on the island, had to significantly adjust their project targets across the programme, after finding out that several of the assumptions made at proposal stage did not hold. Local know-how, feet on the ground and established networks proved to be key elements for successful in the quick-win set-up of the early recovery phase.

Another salient feature of all early recovery projects was their short duration. By design almost all projects were to be completed by mid-2018, as the expectation was that the World Bank supported Trust Fund would take over as from that time. This expectation proved to be unrealistic.

Trust Fund documentation in the public domain provides only broad and aggregated information on costs incurred for the different projects. It is beyond the remit of this policy review to assess if budget estimates for each of the projects and actual spending have been reasonable. The aim is here to understand the context and rationale as they underpin results. Several general features stand out in this regard: a) the periods of time required for project preparation and start-up of activities on the ground after approval by the Steering Committee perceived as relatively long by local stakeholders and some implementing partners⁴¹; and b) the high number of studies and other project related documents, many of which address the Bank's social and environmental safeguards.

14. What measures can be taken to increase efficiency and effectiveness?

The question is interpreted to cover efficiency and effectiveness of the role and performance of the Ministry of BZK not only for the remainder of Trust Fund implementation in Sint Maarten, but more broadly when facing future crises in the Caribbean, especially those caused by hurricanes, the occurrence of which is quite probable. The review draws some general conclusions in section 4 leading to general recommendations 1-3. Section 5 deals with conclusions and recommendations concerning emergency assistance (recommendations 4-6). Lessons learned from support to reconstruction in Saba and Sint Eustatius as well as in Sint Maarten (the latter including early recovery) are spelled out in sections 6 and 7, respectively (recommendations 7-10).

As from 2018, the Government of the Netherlands took a variety of measures to improve on its disaster response capacity on the basis of lessons learned during the post-Irma crisis (see section 3.1.7.). In June 2020, the Netherlands Ministry of Justice and Security and the Ministry of BZK published a handbook on crisis management for the Caribbean parts of the Kingdom⁴². The

³⁹ The Letter of 21 September 2020 does not explicitly relate the question as to efficiency to reconstruction in Saba and Sint Eustatius. The present policy review has nevertheless attempted to address this dimension for Saba and Sint Eustatius. This also applies to question 14.

⁴⁰ The Letter of 21 September 2020 does not explicitly relate the question as to efficiency to reconstruction in Sint Maarten. The present policy review has nevertheless attempted to address this dimension for Sint Maarten. This also applies to question 14.

⁴¹ Contrary to local perceptions, the World Bank contends that project preparation and start-up were actually relatively more expeditious than in other countries (15 percent faster than for World Bank disbursements in Latin America and the Caribbean overall; 22 percent faster than World Bank disbursements in the Caribbean and 25 percent faster than disbursements in small island states in the Caribbean).

⁴² *Ministerie van Justitie & Veiligheid & Ministerie van BZK (juni 2020), Handboek Crisisbeheersing voor de Caribische delen van het Koninkrijk, Den Haag.*

handbook draws lessons from the post-hurricane experiences in 2017 and seeks to clarify roles and procedures of different ministries in the Netherlands and other partners in case the European Netherlands is requested to intervene in disaster management in the Caribbean. The handbook does not discuss disaster preparedness, as this is considered part of local responsibilities in Sint Eustatius and Saba and a national responsibility in the case of Sint Maarten. It is understood that procedures defined in the handbook need to be tested and disseminated in practice. Since 2020, this has been done in joint disaster drills (*HUREX*⁴³), during which different parties to be called upon can familiarize themselves with what is expected from them.

Recommendation 1: In preparation of hurricanes or other disasters that may occur in the future, the Ministry of BZK should further strengthen its capacities in assisting the islands in strengthening emergency preparedness, drawing up post disaster needs assessments and developing relief and reconstruction plans. If requested, the Ministry of BZK should provide capacity development in this regard to the islands well before future disasters. Within the Ministry of BZK this may involve staff (re-) training and / or attracting more staff with these competencies. The recent Handbook on Crisis Management for the Caribbean parts of the Netherlands⁴⁴ may have to be periodically revisited. Results-based management principles should be applied, i.e., spelling out goals and objectives, expected impact, outcomes and outputs as well as required inputs for reconstruction efforts and allowing for monitoring and evaluation⁴⁵.

Recommendation 2: To be better prepared in the future – and to allow for quicker action in potential crises – the meaning and interpretation of Article 36 of the Charter should be carefully discussed within the Kingdom. This could result in better agreements between the various countries within the Kingdom regarding the preparation, submission and processing of requests for assistance and timeliness and appropriateness of the process. A similar streamlining of how to submit and respond to requests in the cases of Sint Eustatius and Saba (and possibly Bonaire) should be explored.

Recommendation 3: To address shortcomings found in data and document storage systems of the Ministry of BZK, it is recommended that the Ministry of BZK improves its financial data processing and its document storage system Digidoc with a view to enhance accountability for its disbursements. Specific guidelines and procedures should be developed in this regard and staff may have to be trained for this purpose.

Recommendation 4: As part of its mandate related to Kingdom Relations, the Ministry of BZK should exercise substantive leadership in terms of humanitarian action and assume a possible coordinating role in supra-island post-disaster emergency assistance. In the Caribbean part of the Netherlands this should happen taking into account legislation governing the national crisis structure and without affecting the system responsibility of the Ministry of Justice and Security in the European Netherlands and in the Caribbean Netherlands. In the case of Sint Maarten, Aruba and Curaçao, any assistance to a national disaster response should be based on requests under Article 36 of the Charter.

Recommendation 5: As swift action is essential in emergency responses, the Ministry of BZK and the Ministry of Justice and Security, in consultation with the islands and other ministries and partners in the Netherlands⁴⁶, may wish to further develop and adapt procedural guidelines outlining how different actors in the Caribbean should coordinate among each other in disasters exceeding local capacities. The guidelines should build on the recent Handbook on Crisis

⁴³ Hurricane Exercise (HUREX).

⁴⁴ *Ministerie van Justitie & Veiligheid & Ministerie van BZK (juni 2020), Handboek Crisisbeheersing voor de Caribische delen van het Koninkrijk, Den Haag.*

⁴⁵ Guidance can be found in OECD – DAC Results-based approaches <https://www.oecd.org/dac/results-development/results-based-approaches/> website consulted on 26 September 2022.

⁴⁶ Other partners include for example the Netherlands Red Cross, which by Royal Decree has an important role to play in disaster management.

Management for the Caribbean parts of the Netherlands⁴⁷ and draw lessons from its practical application.

Recommendation 6: Procedural guidelines mentioned in recommendation 5 should include appropriate adaptations of the Public Procurement Act to apply to emergency situations allowing for waiver procedures and other measures to speed up responses, while nevertheless ensuring adequate safeguards for maximum transparency and accountability.

Recommendation 7: In preparation of future post-emergency situations on the islands of Saba and Sint Eustatius (and possibly Bonaire), the Ministry of Justice and Security and the Ministry of BZK, in consultation with island authorities, other ministries and the Representative of the Kingdom in Bonaire, should explore options how to streamline support to reconstruction activities in view to ensure better coordination of activities and improved accountability. The Ministry of BZK should clarify its own role in future post emergency situations. This should be done taking into account experiences made with the practical application of the Handbook

Recommendation 8: The concept of Building Back Better should be clarified for Saba and Sint Eustatius (and possibly Bonaire), i.e., with more standardized and specific targets and measures for the improvement of physical infrastructure also covering dimensions of resilience against future disasters⁴⁸. This should happen in close consultation with island authorities.

Recommendation 9: Given that the rates of allocations and disbursements of both Trust Fund and direct support projects are basically on track, there is no need to consider an increase / decrease by up to 20 percent of this funding within the current timeframe ending in 2025. An increase may be considered if the Trust Fund is extended beyond 2025⁴⁹. It should also be considered to extend the end date of direct support activities until the end date of the Trust Fund. At mid-point of the Article 8 implementation period, there is a need to establish realistic roadmaps for all projects determining whether they can be completed by 2025 or whether they require alternative arrangements and / or a longer timeframe after 31 December 2025⁵⁰.

Recommendation 10: Management of the National Resilience Fund should be entrusted to an autonomous authority that is situated outside the national budget of the Government of Sint Maarten, whereby oversight would possibly involve representation of the Netherlands in the governance structure. The National Recovery Program Bureau (NRPB) could remain involved for the implementation of projects.

15. In the event of significantly lower funds being available (about 20% less funding for the policy article(s)), or with 20% more funding (spending increase), what policy options are available?

Emergency assistance: It should be noted that actual disbursements at EUR 40.5 million represent a saving of more than 20 % as compared to the initial reservation made with the political intent of showing generosity (EUR 55.0 million). One could have decided that even less was to be spent on emergency assistance, as there is no obligation on the side of the Netherlands to respond to all requests for assistance. In practical terms fewer requests for assistance would in this case have been approved. Had a 20 % larger budget been made available, more could have been done on all islands under the emergency assistance phase.

⁴⁷ Ministerie van Justitie & Veiligheid & Ministerie van BZK (juni 2020), *Handboek Crisisbeheersing voor de Caribische delen van het Koninkrijk, Den Haag*.

⁴⁸ A good source of inspiration is the Administration Arrangement between the Netherlands and the World Bank of 16 April 2018, Appendix on Dutch Guiding Principles.

⁴⁹ As of mid-2022, the *Rijksministerraad* approved an extension until 2028. It has been agreed that this extension can take place without additional financing. Based on World Bank calculations this will be possible, though risks presented by rising prices may require within project and potentially portfolio level re-engineering of some Trust Fund projects and objectives (with marginal impact on broad outcomes). Additional funds may also be needed in the event of Sint Maarten being affected by other major crises, e.g., hurricanes.

⁵⁰ It is understood that such a roadmap has already been established as part of the proposal to extend the Trust Fund until end 2028.

Reconstruction in Saba and Sint Eustatius: If 20 % less funding had been made available under Article 8, the bill would probably have been picked up by the budgets of other ministries. If the overall budget had been 20 % less, this would have resulted in less repairs being implemented and / or Building Back Better targets would have been less ambitious with less hurricane resilience as a consequence. On the other hand, if 20 % more funding had been available, Building Back Better targets could perhaps have been more ambitious going beyond damages incurred during the 2017 hurricanes. A possible negative side effect could have been that too much funding might have exceeded the small islands' absorption capacity, at least within the given timeframe.

Reconstruction in Sint Maarten (including early recovery): If funding for reconstruction in Sint Maarten had amounted to significantly more (an increase by 20 percent to EUR 660.0 million) or less (a decrease by 20 percent to EUR 440.0 million), this would have affected the scope of reconstruction efforts in Sint Maarten.

If up to 20 percent funding had been made available unfunded needs identified in the National Recovery and Resilience Plan (NRRP) could have been addressed. The question is whether this would have been a wise decision, as even the current funding spending in Sint Maarten exceeded this small country's absorption capacity.

If by contrast significantly fewer resources had been made available (e.g., EUR 440.0 million corresponding to 20 percent less), fewer needs could have been addressed. It is likely that the rehabilitation of the hospital, the reconstruction of the airport and improved debris management would still have been included among the priorities. In the worst case, significant needs would have remained unaddressed.

There were limited options to reduce contributions to these projects in seeking complementary funding from other sources (apart from the Airport benefitting from support by the European Investment Bank (EIB) and the Hospital having access to private sector support). Not being an independent country with access to the international financing system, Sint Maarten does not have access to the myriad of international funding mechanisms, whereby private sector funding for public goods is only possible against high rates of return anyway.

Additional questions for part I: Emergency assistance

a) Has the crisis structure that has been established made it possible to provide emergency assistance efficiently?

See answer to question 13 concerning emergency assistance.

b) On what criteria (including design versus practicability) were the projects selected for the early recovery phase? Were those criteria relevant in view of people's needs and based on a needs assessment?

As the Ministry of BZK was aware of the fact that setting up the Trust Fund would take some time it foresaw a brief early recovery phase the cost of which was not to exceed EUR 7.0 million. As from December 2017 the Ministry of BZK invited trusted partner organisations to submit project proposals not exceeding six months that would address immediate social and economic needs. It was assumed that the selected organisations would be familiar with needs and priorities on the ground and that they would be able to quickly deliver results.

The Ministry of BZK did not provide much guidance or supervision as to how projects were to be shaped, implemented or reported on. It would be sufficient for organisations to present audited financial statements on past activities and general costed technical proposals for activities to be undertaken. The latter were discussed mostly informally with the Ministry of BZK and the civil mission in Sint Maarten. In many cases, project documents were adjusted during implementation and reporting was relatively general.

Small scale projects responding to most urgent social needs of the population, e.g., school-feeding, house repairs, psychosocial support, and island clean up were quickly implemented, albeit with mixed results. The most successful projects were those implemented by local organisations or as extensions of running programmes.

c) Did the projects selected for the early recovery phase help put the right conditions in place for the reconstruction of Sint Maarten, Sint Eustatius and Saba? Did they do so efficiently?

The early recovery phase in Sint Maarten under Article 8 was too limited in scope and duration to adequately address pressing social needs of the population, e.g., adequate housing, shelters, schools, and psychosocial support⁵¹. This was notably the case as Sint Maarten's own capacities were limited. There was a considerable gap and discontinuity between limited early recovery activities that came to an end in 2018 and start-up of related Trust Fund activities in 2020-2021. In Saba and Sint Eustatius there was no need for an early recovery phase, as there was no need for a World Bank executed Trust Fund and reconstruction activities could start immediately once the emergency phase was completed.

The early recovery phase in Sint Maarten had no relevance whatsoever for reconstruction in Saba and Sint Eustatius (concerning the efficiency of early recovery projects see answer to question 13).

d) What lessons can we learn for future hurricane-related crisis situations?

See recommendations 1, 2, 3, 4, 5, 6, 7 and 8.

Additional questions for part II: Reconstruction of St Maarten

e) What agreements were made regarding accountability in relation to the Trust Fund and the part played by the World Bank, and what were the underlying reasons for those agreements?

As entrusting reconstruction funds directly to Sint Maarten and too direct Dutch involvement were not deemed desirable options in the Netherlands, the establishment of a World Bank Trust Fund was a well justified way out.

According to the Administration Arrangement concluded between the Netherlands and the World Bank, the Trust Fund would address three thematic areas: a) community recovery in social sectors; b) economic recovery through reconstruction of critical infrastructure and businesses; and c) governance recovery strengthening the country's readiness in facing natural disasters and climate change. The Administration Arrangement mentions that the document, including its annexes, is not an international treaty and is not eligible for registration as a treaty under Article 102 of the United Nations⁵².

A tripartite Steering Committee was to become the governance body consisting of a representative of the World Bank, a representative of the Netherlands, and a representative of Sint Maarten (the latter the Prime Minister or his / her designee). The Steering Committee would meet at least bi-annually and approve strategic priorities and annual work programmes as well as budget allocations. The decisions of the Steering Committee would be by consensus, preferably on a no-objection basis.

⁵¹ It should be mentioned that between 2017 and 2021, Sint Maarten received substantial funding from the *Nationaal Rampenfonds* (NRF) in the Netherlands (see *Fonds NRF voor wederopbouw na Orkaan Irma, eindrapportage bestedingen*, March 2021 <https://nationale-rampenfonds.nl/media/files/204-21-22-07c-nr-irma.pdf>). Website consulted on 26 September 2022. Total expenditure amounted to USD 7.3 million between November 2017 and 2021. Although the NRF intended to coordinate activities with the Ministry of BZK and the World Bank, there is no evidence that close cooperation materialized.

⁵² Administration Arrangement, paragraph 10.

The Steering Committee has decision-making power over yearly workplans and over the allocation of funding to projects as well as the mandate to monitor progress and guide implementation. However, the Steering Committee does not have the authority to intervene in the implementation of projects, nor in project related decision-making. This is the province of the World Bank and the recipient country as set out in the grant agreements signed between them.

The World Bank executed Trust Fund has played its role well as a neutral and trusted intermediary for the Government of the Netherlands. In Sint Maarten the Trust Fund modality is sometimes felt to be an extended arm of the Netherlands and compliance with the numerous World Bank guidelines and safeguards is at times seen as an undesirable burden and distraction (see conclusion 17 in section 7).

f) To what extent were the agreements honoured in practice? Were the agreements practicable? On what points were departures made from the agreements and why?

The Administration Arrangement between the Netherlands and the World Bank has scrupulously been adhered to, as it has provided a good basis for the bulk of support to reconstruction in Sint Maarten. No departures from the Arrangement have been observed.

g) Does this structure ensure (in theory and in practice) that the funds are spent on the right projects and programmes and on a timely basis (effectiveness and efficiency)?

See answers to question 11, 12 and 13.

h) Does the structure give the Netherlands enough influence (in theory and in practice) to ensure that the Dutch Guiding Principles are observed?

This Administration Arrangement ensures at a very formal level that the Netherlands is strongly involved in the management of the Trust Fund through participation in the Steering Committee which exercises significant decision-making power over the design and execution of the Trust Fund.

With meetings taking place three or four times a year, the mechanism has worked well and has entirely served its purpose. There has been continuity in the Dutch representation, as the same title holder has remained in place since the beginning. The position has been held by a senior person, who held several political offices in the past and who has apparently enjoyed a good working relationship with the State Secretary of BZK, who was in office during the period under review. The representative also maintains amicable and constructive relations with the representatives of Sint Maarten and the World Bank involving many informal consultations between official meetings.

Dutch Guiding Principles are included as an Appendix to the Administration Arrangement and concern in particular the ambitious and complex policy agenda of Building Back Better. The policy has received adequate attention under Article 8 funding, but it is still too soon to assess its effectiveness in all its dimensions.

Although the Appendix is non-binding, it largely converges with reconstruction goals of the World Bank not only for this Trust Fund. The agenda encompasses three dimensions: a) material reconstruction of buildings and other physical infrastructure in principle to hurricane 5 resistant standards; b) Improved disaster management capacity and disaster preparedness; and c) a broad agenda of good governance, strengthening of civil society, economic diversification and policies aiming at sustainable development in pursuit of social and environmental goals.

Elements of Building Back Better were incorporated in the strategic focus areas of the Trust Fund and, albeit more implicitly, in direct support activities. Major infrastructure projects, such as rehabilitation of the airport and medical centre as well as debris management, are executed with hurricane 5 resistance as a goal to the greatest possible extent. Such a standard is more difficult to meet with home repairs, rehabilitation or rebuilding of shelters and schools and other social

infrastructure. In these works, one is faced with a huge dilemma between the urgency of necessary interventions and the aim to offer the highest quality of constructions.

Improved disaster preparedness and management is exemplified by the promotion of Caribbean Catastrophe Risk Insurance Facility (CCIRF) insurance and membership in the Caribbean Disaster Emergency Management Agency (CDEMA) under the Emergency Recovery Project I (ERP-I). The medium-/long-term perspective of the establishment of a National Disaster Fund with reimbursements by Princess Juliana International Airport (PJIA) to the Government of Sint Maarten opens the possibility of self-sustaining disaster management. Direct support activities also clearly aim at strengthening disaster preparedness with equipment for the Ministry of Public Housing, Spatial Planning, Environment, and Infrastructure (VROMI) and the fire brigade, digitalization of the Public Prosecutor's Office and a much-improved detention centre

In terms of the realization of broad goals like good governance, economic diversification and sustainable social and economic development, there are encouraging partial results, but by and large it is too soon to conclude on the achievement of these high goals in a comprehensive manner.

Additional questions for part III: Reconstruction of Saba and Sint Eustatius

i) How has the Minister of the Interior and Kingdom Relations fulfilled the role of coordinating the reconstruction of Saba and Sint Eustatius and how did this role contribute to achieving the government-wide goals (effectiveness and efficiency)?

The Ministry of BZK had to assume responsibilities of coordinating humanitarian relief and providing support to reconstruction, for which it was not well prepared. The Ministry had traditionally been geared towards operating in line with its more administrative mandates related to governance. It nevertheless performed relatively well under the circumstances in assuming the new responsibilities (see conclusion 3).

In Saba and Sint Eustatius, the Ministry of BZK met with challenges when attempting to coordinate reconstruction efforts in Saba and Sint Eustatius, as island authorities tended to communicate with Dutch line ministries directly and not through the Ministry of BZK. This was partly due to the fact that funding under Article 8 amounting to EUR 20.4 million (in terms of disbursements) represented only 30 % of the overall envelope made available by the Government of the Netherlands to reconstruction in Saba and Sint Eustatius totalling EUR 67.9 million.

j) Did the Ministry of the Interior and Kingdom Relations' use of funds and measures achieve the intended goals? How effective and efficient were those funds?

See answers to question 11, 12 and 13.

k) What role did/do the other ministries play regarding the assistance?

The other ministries provided 70 % of funding for reconstruction in Saba and Sint Eustatius. These resources came from other budget lines of the Netherlands Government outside Article 8 of the Budget of Kingdom Relations. They are therefore not part of the mandate of this policy review.

1. Introduction

1.1. Context and background

1. The islands of Sint Maarten, Saba, and Sint Eustatius were impacted by devastating Hurricanes Irma, Jose and Maria in 2017. Sint Maarten was particularly hard hit by Hurricane Irma which struck on 6 September 2017⁵³. 90 % of the physical infrastructure of the Dutch part of the island was destroyed, including 50 % of the housing stock as well as the larger part of airport and port facilities. Drinking water supply and waste disposal were disrupted imperilling public health. Emergency assistance was initially hampered by a breakdown of communication lines and information gathering and sharing, as well as by a collapse of public order.

2. The Government of the Netherlands provided immediate emergency assistance to Sint Maarten as well as to the islands of Saba and Sint Eustatius, the latter two having been relatively spared by Hurricane Irma. But the other two islands were shortly after hit by Hurricanes Maria and Jose. Emergency assistance in 2017 was followed by multi-year support to reconstruction in all three islands as from the end of 2017.

3. The three islands differ in their relationships with the Kingdom of the Netherlands as defined in the Charter of the Kingdom of the Netherlands adopted on 10 October 2010 (usually referred to as 10-10-10). Sint Maarten is one of the autonomous countries of the Kingdom, along with Aruba, Curaçao and the Netherlands. Sint Maarten enjoys autonomy in all areas unless limited by provisions of the Charter of the Kingdom⁵⁴ or on specific topics defined by mutual agreement. Article 36 of the Charter of the Kingdom stipulates that the countries of the Kingdom provide each other with support and assistance. By contrast, Saba and Sint Eustatius, along with Bonaire, are public entities (special municipalities) of the country the Netherlands and by this token the Government of the Netherlands exercises direct authority on these islands. Each island also has an executive council that is responsible for that island's day-to-day governance. The executive council implements the decisions of the island council. These differences in the status of the three islands affected procedures concerning emergency assistance and support to early recovery as well as reconstruction provided by the Government of the Netherlands to the three islands.

4. The island of Sint Maarten comprises the country with the same name in the South, commonly referred to as the Dutch part of the island, and the Overseas Collectivity of Saint Martin in the North, which is part of the French Republic (and therefore also of the European Union). The Dutch part of the island had an official population of 41,000 in 2018, whereas the public entities of Saba and Sint Eustatius had populations of nearly 2,000 and 3,100 respectively. The islands are on similar levels of development, falling under the World Bank Group's classification of upper income countries⁵⁵. GDP per capita in 2020 was highest for Sint Maarten (USD 29,200), followed by Sint Eustatius and Saba (both USD 27,800)⁵⁶. Before the hurricane, tourism accounted for roughly half of GDP in Sint Maarten and three quarters of foreign exchange earnings⁵⁷.

1.2. The overall policy review of Article 8 of the Budget of Kingdom Relations

5. The focus of this policy review is on Article 8 of the Budget of Kingdom Relations⁵⁸ administered by the Ministry of the Interior and Kingdom Relations, henceforth referred to by its

⁵³ Hurricane Jose occurred on 9-10 September and Hurricane Maria on 18-20 September 2017.

⁵⁴ According to Article 3 of the Charter, the Kingdom is responsible for: a) preserving the independence of the kingdom; b) foreign affairs; c) Netherlands citizenship; d) decorations, flag and coat of arms of the kingdom; e) nationality of and safety requirements for sea vessels; f) admission and deportation of Netherlands citizens; e) admission and deportation of aliens; f) extradition.

⁵⁵ The World Bank Group uses an income classification system to group countries based on Gross National Income per capita (Atlas Method).

⁵⁶ Source: CBS, 2020. Trends in the Caribbean Netherlands.

⁵⁷ Source: World Bank Trust Fund semi-annual report 30 June 2021.

⁵⁸ Article 8 of chapter IV (Kingdom Relations) of the national budget (Parliamentary Paper 33 189, no. 12 and *Wijziging van de begrotingsstaten van Koninkrijksrelaties (IV) voor het jaar 2018 (Derde incidentele suppletoire begroting inzake wederopbouw Bovenwindse Eilanden)*, kstk. 34988-2 d.d. 6 juli 2018.

Dutch acronym: Ministry of BZK⁵⁹. Article 8 is labelled “Reconstruction in the Windward Islands⁶⁰” and specifically aims at the restoration of basic services and infrastructure for citizens in Sint Maarten, Sint Eustatius and Saba to levels which existed before Hurricanes Irma and Maria that impacted the islands in September 2017. Article 8 of the Budget of Kingdom Relations covers a) emergency assistance to Sint Maarten, Saba, and Sint Eustatius (Article 8.2); and b) support to reconstruction on all three islands (Article 8.1).

6. The design of the overall policy review was described in a Letter by the State Secretary of BZK to Parliament (*Tweede Kamer*) sent on 21 September 2020⁶¹. The review is governed by provisions of the Regulation on Periodic Policy Evaluations (RPE) of 15 March 2018⁶². The Letter contains a description of the intended overall design, goal, evaluation questions, delineation, methodological approach, timelines and institutional arrangements of the review⁶³. The design of the policy review was further elaborated on in a Letter by the State Secretary of BZK to Parliament on 17 December 2020, which contained replies to questions asked by Parliamentarians and announced, *inter alia*, that the outcome of the policy review would be presented to Parliament in 2022⁶⁴.

7. Emergency assistance under article 8 was provided between September and 30 November 2017. Support to early recovery in Sint Maarten was implemented between December 2017 and mid-2018 to address immediate humanitarian needs, while the World Bank executed Trust Fund was still being negotiated and set up. No early recovery phase was required in Sint Eustatius and Saba, as reconstruction works could be initiated as from November 2017. The timeframe for reconstruction in Sint Eustatius and Saba was limited to the period from 10 November 2017 until 31 December 2021. The partial study I / III (see 1.3.) is hence an end-evaluation of emergency assistance, early recovery Sint Maarten and reconstruction Sint Eustatius and Saba.

8. Reconstruction in Sint Maarten was initially designed to be implemented between 2018 and 2025⁶⁵, i.e. including the early recovery phase starting in December 2017 and continuing during the first half of 2018. The policy review covering activities under the Trust Fund and direct support was hence designed to be a mid-term evaluation with cut-off date 31 December 2021. Activities undertaken and results achieved in Sint Maarten in 2022 have not been taken into consideration in the partial study II or in this synthesis report. In this context it should be mentioned that the duration of the World Bank supported Trust Fund was recently extended by 36 months beyond the scheduled end-date of 31 December 2025, i.e. until 31 December 2028, by decision of the Council of Ministers of the Kingdom (*Rijksministerraad*) of 21 June 2022.

⁵⁹ Ministerie van Binnenlandse Zaken en Koninkrijksrelaties.

⁶⁰ The report follows the tradition in Dutch to describe the islands of the Lesser Antilles north of Dominica as *Windward Islands*. This is the literal translation of the corresponding term in Dutch “*Bovenwindse Eilanden*”. In English the islands north of Dominica, including Sint Maarten, Saba, and Sint Eustatius, are usually described as “*Leeward Islands*”, whereas for the Lesser Antilles south of Dominica the term “*Windward Islands*” is used. The Dutch linguistic preference is followed as the main audience of the report is in the Netherlands.

⁶¹ Brief van de Staatssecretaris van Binnenlandse Zaken en Koninkrijksrelaties aan de Voorzitter van de Tweede Kamer der Staten-Generaal, onderzoeksoptzet beleidsdoorlichting begrotingsartikel 8 Ministerie van BZK, 21 september 2020 <https://www.rijksoverheid.nl/documenten/kamerstukken/2020/09/21/kamerbrief-onderzoeksoptzet-beleidsdoorlichting-artikel-8-bzk-begroting>, website consulted on 26 September 2022. See Annex I.

⁶² Regeling Periodiek Evaluatieonderzoek 15 March 2018 <https://wetten.overheid.nl/BWBR0040754/2018-03-27>, website consulted on 26 September 2022.

⁶³ <https://www.rijksoverheid.nl/documenten/kamerstukken/2020/09/21/kamerbrief-onderzoeksoptzet-beleidsdoorlichting-artikel-8-bzk-begroting>, website consulted on 26 September 2022.

⁶⁴ Kstk 33189, Nr. 13, Brief van de Staatssecretaris van Binnenlandse Zaken en Koninkrijksrelaties aan de Voorzitter van de Tweede Kamer der Staten-Generaal, 17 december 2020, Antwoorden op vragen commissie over de onderzoeksoptzet beleidsdoorlichting begrotingsartikel 8 Koninkrijksrelaties https://www.tweedekamer.nl/kamerstukken/brieven_regering/detail?id=2020Z25295&did=2020D53094 website consulted on 26 September 2022.

⁶⁵ Disbursements under direct support activities were in principle to be made before 31 December 2021, but it was decided that expenditures could be accounted for even in 2022 and 2023.

1.3. Organisation of the review, delimitation of activities to be evaluated, and financial allocations

9. The overall policy review was divided into two parts, each of which was to be implemented by separate independent evaluators and resulted in two separate reports: a) emergency assistance on all three islands and early recovery in Sint Maarten (referred to as part I to be evaluated by consultancy company Ecorys); reconstruction in Sint Eustatius and Saba (referred to as part III also to be evaluated by Ecorys⁶⁶; and b) reconstruction in Sint Maarten (referred to as part II to be evaluated by independent consultant Lucien Bäck)⁶⁷. Both reports are available as self-standing documents. They have fed into the present synthesis report to be presented to Parliament in the Netherlands during the last quarter of 2022.

10. Table 1 presents an overview of activities evaluated in this policy review and of what falls outside its purview. The focus is clearly on funding under Article 8 of the Budget, which includes activities implemented under this funding by other Ministries in the Netherlands, other public and private organisations, the World Bank executed Trust Fund. Not included are activities financed from other budget lines and sources, e.g. those funded by other Ministries in the Netherlands, public or private organisations within the Kingdom. Liquidity support to Sint Maarten is also excluded, even if it comes from Article 8.

Table 1: Delimitation of activities related to emergency assistance / early recovery and reconstruction Windward Islands and scope of reports on parts I/III and II⁶⁸

Activities evaluated falling under Article 8 – Windward Islands	Activities related to emergency assistance / early recovery and reconstruction Windward Islands (not evaluated under this policy review)
Part I: Emergency assistance to all three islands (including early recovery Sint Maarten) • Coordination by the Ministry of BZK • Funding provided on the budget for Kingdom Relations to various ministries in the Netherlands (e.g., the Ministries of Defence, Education, Culture and Science - OCW, Economic Affairs and Climate, as well as the Ministry of Infrastructure and Water Management)	• Emergency assistance provided by budgets of other ministries in the Netherlands • Emergency assistance provided by other external sources (e.g., the Netherlands Red Cross and other partner organisations) • Emergency assistance mobilized by local government and the private sector
Part II: Reconstruction in Sint Maarten • Coordination by the Ministry of BZK • World Bank executed Trust Fund • Direct support – funding provided to the Government of Sint Maarten, and to partner organisations operating in Sint Maarten	• Integrity Chamber⁶⁹ • Reconstruction support provided by budgets of other Ministries in the Netherlands • Reconstruction funded from other external sources • Reconstruction funded and implemented by the Government of Sint Maarten (including with liquidity support) • Reconstruction funded and implemented by private sector • Liquidity and other support to the Government of Sint Maarten (liquidity support under Article 8 and liquidity support outside Article 8, e.g., related to the Covid-19 pandemic)

⁶⁶ In the Letter to Parliament of 21 September 2020 emergency assistance is combined with early recovery in Sint Maarten. This is at variance with Article 8 which considers early recovery in Sint Maarten as part of reconstruction in that island (Article 8.1). The present synthesis report considers early recovery as part of reconstruction in Sint Maarten.

⁶⁷ Referred to in the Terms of Reference as part II.

⁶⁸ Explanation of colours: Part I and part III (Ecorys): yellow; and Part II (Lucien Bäck): green

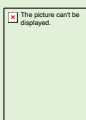
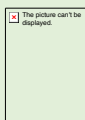
⁶⁹ This was a condition for reconstruction support, which is not part of this evaluation according to the terms of reference, as it was funded under Article 4.

Part III: Reconstruction Saba and Sint Eustatius - Coordination by the Ministry of BZK - Funding provided by Ministry of BZK to other ministries in the Netherlands (the Ministry of Education, Culture and Science - OCW, the Ministry of Defence, the Ministry of Economic Affairs and Climate, as well as the Ministry of Infrastructure and Water Management) - Sea cable between Sint Maarten, Saba and Sint Eustatius - Cliff Sint Eustatius - Reconstruction Saba	- Reconstruction aid provided by budgets of other Ministries in the Netherlands - Reconstruction aid provided by other external sources - Reconstruction aid provided by local government and private sector
Synthesis report on Article 8: Emergency assistance to all three islands, reconstruction (including early recovery) in Sint Maarten, reconstruction in Saba and Sint Eustatius	

11. For each of the different components of Article 8 initial estimates of maximum allocations were made. Emergency assistance to all three islands in 2017 amounted to a maximum of EUR 55.0 million. In Sint Maarten emergency assistance was followed by an early recovery phase with a maximum budgetary envelope of EUR 7.0 million. This included essential projects to be initiated within a short time span and that could be expected to show quick results in 2018. As from the end of 2017, plans were made for funds designated for reconstruction in the islands. For Sint Maarten, the maximum amount of EUR 550.0 million was reserved, of which a maximum of EUR 470.0 million support through a Trust Fund with the World Bank and a maximum EUR 80.0 million as direct support, for activities to be implemented outside the Trust Fund. For Saba and Sint Eustatius EUR 18.0 million were reserved for reconstruction under Article 8, but the total allocation to be provided by the Government of the Netherlands, including contributions to made by Article 8 funding and from budgets of other ministries was significantly higher: almost EUR 68.0 million.

12. Table 2 shows the actual disbursements of allocated funds under Article 8. For Sint Maarten, less was spent than originally foreseen. This is probably due to the fact that initial estimates were based on fast-track assessments, the main purpose of which was the rapid mobilisation of resources in the aftermath of the disasters.

Table 2: Article 8 – Disbursement of allocated funds under Article 8 of the Budget of the Kingdom

Allocation and disbursements of funds under Article 8 of the Budget of the Kingdom			
Allocation max. EUR 55.0 million Disbursed EUR 40.4 million Emergency assistance Sint Maarten, Saba, and Sint Eustatius	Allocation max EUR 550.0 million Reconstruction Sint Maarten  		Allocation Article 8: EUR 18.0 million (out of total allocation EUR 67.9 million) Reconstruction Saba and Sint Eustatius as well as sea cable Disbursed Article 8: EUR 20.4 million
Allocation max. EUR 470.0 million World Bank executed Trust Fund Sint Maarten		Allocation max. EUR 80.0 million early recovery and direct support Sint Maarten	
	Less: Liquidity support 2018: EUR 16.9 million		Less: Liquidity support 2017: EUR 22.8 million
			Less: Programme support Ministry of BZK: EUR 8.0 million
		Early recovery Sint Maarten	

		Allocation max. EUR 7.0 million Disbursements EUR 6.8 million	
1st tranche (2018): EUR 112.0 million			
2nd tranche (2018): EUR 150.0 million			
3rd tranche (2020): EUR 90.0 million			
	Less: Deduction in 2021: EUR 15.0 million		
4th tranche (2021): EUR 86.115 million			
Available in the Trust Fund: Allocation max. EUR 438.115 million⁷⁰		Available for direct support Sint Maarten (after deductions and disbursements for early recovery): max EUR 42.4 million Disbursements as of 31 December 2021: EUR 27.031 million	

13. The actual disbursement for emergency assistance to all three islands amounted to EUR 40.4 million. Sint Eustatius and Saba eventually received EUR 20.4 million for reconstruction, which also includes expenditure for repair of the sea cable between Sint Maarten and the two islands. The allocation for reconstruction in Saba and Sint Eustatius eventually exceeded original estimates. It is noteworthy that under Article 8 funding substantial reservations were made especially for liquidity support to Sint Maarten in 2017 and 2018 (EUR 16.9 million in 2018 charged to the original Trust Fund allocation, and EUR 22.8 million in 2017 charged to the original direct support allocation). More than EUR 438.1 million was made available to the World Bank executed Trust Fund and a little more than EUR 27.0 million was disbursed for direct support in Sint Maarten.

1.4. Structure of this report

14. The introductory section 1 of this report basically describes *what* is being evaluated in this policy review, the response of the Netherlands Government under Article 8 of the Budget of Kingdom Relations to the hurricanes that struck the three islands in September 2017. This included the emergency assistance provided in 2017 and support to reconstruction on Sint Maarten⁷¹, Sint Eustatius and Saba as from 2018. Section 2 will present in more detail, *how* the evaluation is designed, its objectives, the evaluation questions as well as methods, limitations and challenges met. Section 2 will also address the question to what extent Article 8 provides enough guidance to construct a theory of change. Section 3 presents the findings of the review, which will draw on the evidence compiled in the reports on parts I / III and II. Section 4 contains overall conclusions and recommendations, while subsequent sections present conclusions and recommendations specifically focusing on emergency assistance (section 5), reconstruction in Sint Maarten (section 6) and reconstruction in Sint Eustatius and Saba (section 7).

⁷⁰ According to the Trust Fund Annual Report 2021 this corresponds to a total of USD 511.96 million. In addition, USD 13.87 million in investment income has been generated for the Trust Fund by the World Bank's Treasury Department since Trust Fund inception. The total amount available is hence USD 525.83 million.

⁷¹ In this synthesis report, early recovery is considered part of reconstruction in Sint Maarten in line with the budgetary provision (Article 8.1.).

2. Policy review of emergency response and reconstruction in Sint Maarten, Sint Eustatius and Saba

2.1. Objectives of the review

15. According to the Letter of 21 September 2020, the policy review pursues two objectives: a) assessment of effectiveness and efficiency of Dutch spending under Article 8; and b) assessment of effectiveness and efficiency of the implementation structure put in place for the reconstruction in Sint Maarten.

16. The above-mentioned Regulation on Periodic Policy Evaluations (RPE) contains explanations of what is meant by effectiveness and efficiency: a) effectiveness relates to the achievement of policy goals with given means (inputs), including human and financial resources as well as activities and other instruments; the achievement of goals usually distinguishes between outputs (direct results and products), outcomes (higher level effects produced) and impact (ultimate societal effects); b) efficiency is defined as the relation between the effects of the policy (benefit) and financial and other resources mobilized for this policy (cost); the review of efficiency comprises the question whether the same effects could have been achieved with fewer resources and / or more effects could have been attained with more resources.

2.2. Evaluation questions

17. Evaluation questions spelled out in the Letter to Parliament of 21 September 2020 (see Annex I) closely follow the standard questions pertaining to a policy review under the above-mentioned Regulation on Periodic Policy Evaluations (RPE). General questions cover the architecture of the funding; motivations of the Government of the Netherlands to provide support; respective responsibilities of the Governments of the Netherlands, including the special municipalities of Sint Eustatius and Saba, and Sint Maarten in the context of the Charter of the Kingdom; the scope of the evaluation; funding that was provided and expenditures that were made; funding from other sources; and documentary and other evidence (including previous evaluations).

18. General questions also cover the central focus of the evaluation: effectiveness and efficiency of activities undertaken under the different components of Article 8. The review is to assess possible results achieved as well as positive or negative side-effects (spinoffs). Of particular interest is the question what policy options exist if significantly lower funds (a saving by 20 %) or higher funds were available (20 % spending increase).

19. More specific questions concerning emergency assistance (part I) address the efficiency of the crisis structure and lessons that can be learned for future hurricane related crisis situations. As far as the early recovery phase in Sint Maarten is concerned, the relevance and appropriateness of the selection criteria of projects is to be assessed in view of the later reconstruction phase.

20. Specific questions concerning reconstruction in Sint Maarten (part II) address agreements concluded with the World Bank and the extent to which they allow for adequate accountability of the Trust Fund as well as for appropriateness, effectiveness and efficiency of selected projects. Of particular interest is whether the structure gives the Netherlands enough influence (in theory and in practice) that the Dutch Guiding Principles⁷² are observed. Since the policy review takes place roughly at mid-point of the period originally agreed upon for the Trust Fund at the outset (2018-2025), it also seeks to provide answers to forward-looking questions, e.g., which measures can be taken by the Netherlands and Sint Maarten to enhance effectiveness and efficiency of reconstruction policies in Sint Maarten during the remainder of the Trust Fund period and beyond.

⁷² Dutch Guiding Principles pursues the goals of Building Back Better, which should encompass strengthening of Sint Maarten's resilience in terms of economic diversification, enhancement of good governance and the strengthening of civil society. Building Back Better should include a long-term vision for both people and the environment.

21. Specific questions concerning reconstruction in Sint Eustatius and Saba (part III) cover the degree to which the Ministry of BZK adequately fulfilled its coordinating role, which was the role of other Ministries, and the effectiveness and efficiency of the use of funds.

2.3. Guidance from Article 8

22. The legal text of Article 8⁷³ is relatively succinct and provides limited substantive information and guidance to emergency assistance and reconstruction efforts in the three islands. Emergency assistance (Article 8.2.) is not described at all in a narrative text. The Letter to Parliament of 21 September 2020 mentions that this phase was to cover *the alleviation of immediate needs following a natural or other disaster (acute emergency aid to provide medical care, food, drinking water and temporary shelter)*. The subsequent early recovery phase in Sint Maarten was to restore *the most essential social and economic services*. The absence of more specific goals, outcomes and outputs makes it impossible to construct an evidence-based intervention logic / theory of change for the emergency assistance phase.

23. Article 8 is a little more specific as to the goals related to reconstruction in Sint Maarten and the other two islands. The text mentions the overall goal of reconstruction: *restoration of basic services and infrastructure ... to levels that existed before hurricane Irma*. The text designates the Ministry of BZK to provide funding and to coordinate efforts among ministries in the Netherlands and with other national and international organisations. Selected projects would focus on the recovery of housing, public space and nature to their previous state, but also on 'Building Back Better', i.e., reducing the risks related to future hurricanes. Reconstruction in Sint Eustatius would cover the stabilisation of the cliff supporting Fort Oranje. In Sint Maarten the larger part of the funding would be channelled through a trust fund aiming at *economic development and access, (resolving) the waste management problem and (promoting) good governance*. Outside the trust fund direct support would cover *regulation control, public law and order, and financial management*.

24. A fund of EUR 550.0 million for reconstruction in Sint Maarten was approved by the Netherlands Council of Ministers on 10 November 2017. Documents submitted by the State Secretary of BZK to the Netherlands Parliament just after this approval⁷⁴ are similarly succinct and uninformative, as far as goals and expected outputs, outcomes and impact of Article 8 inputs into reconstruction in Sint Maarten are concerned. The documents mostly refer in broad terms to conditionalities that need to be met by Sint Maarten before accessing the funding of EUR 550.0 million, viz. strengthening of border control and the establishment of an Integrity Chamber. They also mention the possibility of technical assistance that can be provided to Sint Maarten to meet these conditionalities. This would be part of direct support activities. Furthermore, the documents mention the trust fund modality to pursue broad aims: economic development, access to the island, the waste management problem and promoting good governance.

25. The succinctness of the formulation of the overall goal of Dutch support to reconstruction efforts to be deployed in Sint Maarten, Sint Eustatius and Saba, and the absence of more specific, measurable, achievable, relevant and time-bound ("smart") objectives has consequences for the assessment of effectiveness and efficiency as required by the Letter to Parliament of 21 September 2020 for this policy review (see Annex I). Expected outputs (direct results and products), outcomes (higher level effects produced) and impact (ultimate societal effects) were simply not

⁷³ Article 8 of chapter IV (Kingdom Relations) of the national budget (Parliamentary Paper 33 189, no. 12 and *Wijziging van de begrotingsstaten van Koninkrijksrelaties (IV) voor het jaar 2018 (Derde incidentele suppletoire begroting inzake wederopbouw Bovenwindse Eilanden)*, kstk. 34988-2 d.d. 6 juli 2018; *Begroting Koninkrijksrelaties 4, Artikel 8* covering emergency assistance and reconstruction in all three islands, <https://www.rijksfinancien.nl/jaarverslag/2020/IV/onderdeel/898498> website consulted on 26 September 2022.

⁷⁴ For example, a) Kstk 34773 *Brief van de Staatssecretaris van Binnenlandse Zaken en Koninkrijksrelaties aan de Voorzitter van de Eerste Kamer d.d. 10 november 2017*; b) Kstk 34845 Nr. 1, *Brief van de Minister van Financiën d.d. 24 november 2017 aan de Tweede Kamer*; c) Kstk 34988 Nr. 2, *Wijziging van de begrotingsstaten van Koninkrijksrelaties (IV) voor het jaar 2018 (Derde incidentele suppletoire begroting inzake wederopbouw Bovenwindse Eilanden)*; d) Kstk. 34775 IV Nr. 26, *Vaststelling van de begrotingsstaten van Koninkrijksrelaties (IV) en het BES-fonds (H) voor het jaar 2018, Brief van de Staatssecretaris van Binnenlandse Zaken en Koninkrijksrelaties d.d. 7 december 2017*; e) *Brief van de Staatssecretaris van Binnenlandse Zaken en Koninkrijksrelaties aan de Voorzitter van de Eerste Kamer d.d. 21 december 2017*.

defined from the Dutch side at the outset. There is hence no way to construct an evidence-based results framework or intervention logic against which to assess achievements. By necessity, this evaluation needed to be less theory-based and more process-oriented (see also section 2.4.). Weaknesses in the overall design of the Dutch contribution to reconstruction in Sint Maarten and the other two islands are also addressed in conclusion 5 and recommendation 1.

2.4. Methods and challenges met

31. The two partial studies used similar methods to collect the evidence-base for their respective findings. They included a) compilation of comprehensive sets of documents (the desk study)⁷⁵; and b) interviews with key resource persons and stakeholders (mostly by videoconferencing⁷⁶, but also during field visits to Sint Maarten, Sint Eustatius and Saba on 8 – 20 November 2021⁷⁷). In addition, many external stakeholders, including the World Bank, the Government of Sint Maarten, the special municipalities of Sint Eustatius and Saba, and public and private implementing partners were invited to provide comments on advanced drafts of the reports of the two studies. Comments provided were duly taken into consideration. Most unfortunately, no comments were received from the Government of Sint Maarten, despite repeated reminders, neither on draft versions of partial study reports I / III and II nor on the synthesis report.

32. The policy review adheres to commonly accepted professional principles, norms and standards in evaluation, e.g., the “*Better Regulation Agenda*” of the European Union⁷⁸, “*Norms and Standards*” of the United Nations Evaluation Group (UNEG 2016)⁷⁹, “*UNEG Ethical Guidelines*” (UNEG 2008)⁸⁰ and OECD-DAC “*Principles for Evaluation of Development Assistance*”⁸¹. All information was to the greatest possible extent triangulated, i.e., drawn from different sources, critically assessed and compared, with a view to provide well founded evidence-based findings and draw reliable and credible conclusions. The review aimed at greatest possible impartiality and objectivity, without bias or personal perspectives or viewpoints. Conclusions and recommendations are meant to be constructive and practical with a view to allow for an improvement of policies and their implementation in the future.

33. Both partial studies met with some significant challenges when seeking to compile the extensive documentation. An unstructured documentation in the form of letters, reports, invoices, tables and emails was provided by the Ministry of BZK, but it proved difficult to gauge relevant information on project selection and the monitoring of the projects on content. The Ministry of BZK uses a documentation database called *Digidoc*, which showed some major weaknesses, as it did not allow to readily identify and access relevant documents. An intensive search was required to compile the documents and assess their respective importance, a process, which took a full year. This affected research especially on emergency assistance, on early recovery and direct support in Sint Maarten as well as on reconstruction in Sint Eustatius and Saba. A similar weakness exists in the financial administration in the Ministry of BZK, as disbursements on funded activities and projects could not be documented conclusively, notably as far as direct support in Sint Maarten was concerned. The documentation was eventually compiled also with the help of implementing partners. It can therefore not be excluded that the documentation is not entirely complete (see also conclusion 6 and recommendation 4).

⁷⁵ For details see the two partial studies.

⁷⁶ Videoconferencing was unavoidable, as Covid-19 related restrictions were still in place during most of the time when the research was taking place.

⁷⁷ See Annex III. The evaluators responsible for parts I / III visited Saba and Sint Eustatius on 15 and 18 November 2021, respectively.

⁷⁸ EU Better Regulation : guidelines and toolbox https://ec.europa.eu/info/law/law-making-process/planning-and-proposing-law/better-regulation-why-and-how/better-regulation-guidelines-and-toolbox_en, website consulted on 26 September 2022.

⁷⁹ UNEG Norms and Standards, <http://www.unevaluation.org/document/detail/1914> website consulted on 26 September 2022.

⁸⁰ UNEG Ethical Guidelines <http://www.unevaluation.org/document/detail/2866>, website consulted on 26 September 2022.

⁸¹ OECD DAC, Principles for Evaluation of Development Assistance, 1991, <https://www.oecd.org/development/evaluation/2755284.pdf> website consulted on 26 September 2022.

34. The policy review could draw on relatively detailed documentation on Trust Fund projects. However, the review did have to face the challenge of respecting the single-audit principle of the World Bank and its public disclosure policies⁸². In an exchange of correspondence with the Ministry of BZK concerning this policy review during the second half of 2021, the World Bank made it clear that the bulk of information would have to be drawn from publicly available documentation pertaining to the Trust Fund and its activities. Trust Fund activities as such could not be evaluated due to the single-audit-principle of the World Bank. Access to minutes of the tripartite Steering Committee would require a separate agreement by all three participating parties. This agreement was granted by all three parties represented in the Steering Committee in November 2021.

35. The evaluators in charge of partial studies I / III and II jointly conducted some 50 semi-structured interviews with resource persons in the Netherlands and other parts of the Kingdom. Most resource persons were government staff having been involved in post-hurricane activities within the Ministry of BZK and in other ministries in the Netherlands. Interviews in Sint Maarten took place in person during the field visit also conducted jointly. In-person interviews in Saba and Sint Eustatius were held by the study I / III team only.

36. Most unfortunately, members of the current Government of Sint Maarten could not make themselves available for interviews. But the field visit was coordinated by the Cabinet of the Prime Minister of Sint Maarten. The Sint Maarten Representative in the Trust Fund Steering Committee made himself available for an extensive interview. Most precious was also support provided by management and staff of the National Recovery Program Bureau (NRPB), both during the field visit and through email exchanges during the report-writing phase.

37. Throughout the evaluation process, the World Bank Program Manager for the Trust Fund provided a wealth of information and helped the evaluator of part II negotiate the single-audit principle and regulated public information policies of the Bank. It was agreed that this review focused on the contribution of the Netherlands to reconstruction in Sint Maarten under Article 8 and would not be an evaluation of the World Bank supported Trust Fund. Only information available in the public domain on Trust Fund activities has been used in this report.

38. The exclusive focus of the evaluation on effectiveness and efficiency of funding provided under Article 8 of the Budget of Kingdom Relations excludes consideration of other sources of funding for emergency assistance and reconstruction activities on the three islands. These include resources mobilized locally by local and national authorities, by the population, by the private sector, including proceeds from insurance coverage, as well as funding provided under other governmental and non-governmental sources in the Kingdom. In methodological terms, this raises the question to what extent results achieved in the society at large can be attributed to Article 8 funding, and also sheds a different light on the efficiency of inputs and activities. This policy review is therefore at best a contribution analysis, i.e., it can establish a reasonable attribution of results to or credible association with Article 8 funding.

2.5. Management of the review

39. The evaluators and authors of partial studies I / III and II benefitted from managerial support provided by the Ministry of BZK throughout the evaluation process between March 2021 and October 2022. Dedicated staff took upon itself the onerous task of compiling key documents from the archives of the Ministry of BZK and other public services in the Netherlands. They also facilitated interviews and supported the Evaluation Advisory Committee, composed of representatives of the Ministry of BZK and other ministries in the Netherlands and led by an external chairperson. This Committee gave advice on interim and final drafts of reports provided overall guidance⁸³.

⁸² <https://www.worldbank.org/en/access-to-information>, website consulted on 26 September 2022, and <https://pubdocs.worldbank.org/en/288241548255246039/AMS-6-21A-Information-Classification-and-Control-Policy.pdf>, website consulted on 26 September 2022.

⁸³ The Ministry of BZK initially appointed one staff member and at a later stage two staff members to support the

40. An important role was also assumed by an independent external quality assurance adviser, who was also member of the Advisory Committee and who critically reviewed all interim and final products. It should be mentioned that all experts supporting and guiding the evaluation (see Annex III for the respective names) duly respected the independence of the evaluators, who therefore assume full responsibility for findings, conclusions and recommendations in their respective reports and in the present synthesis report (see also disclaimer on the title pages of this report and the partial reports).

3. Findings of the review

3.1. Emergency response on the three islands

3.1.1. The need for an overarching emergency response on the three islands

41. Hurricane Irma started out as a central Atlantic tropical storm, which quickly gained strength as it moved westward. By the time it reached Sint Maarten on 6 September 2017, it had developed into a category 5 hurricane. The hurricane devastated the island and overwhelmed a population and local government that, despite being accustomed to an annual hurricane season, could not have foreseen the strength of Irma. Saba and Sint Eustatius were also impacted by the hurricane, but to a lesser degree. But the situation on these islands worsened when Hurricanes Jose and Maria followed within a couple of weeks⁸⁴.

42. All three islands have existing structures with specific responsibilities for emergency preparedness and disaster relief. However, the magnitude of the hurricanes – and the speed with which notably Hurricane Irma gained strength – went beyond the capabilities of local emergency preparedness and relief capabilities and caused far more damage than expected. Local crisis structures proved not to be sufficiently actionable to deal with a disaster of this magnitude and some degree of overarching coordination assigning clear responsibilities, roles and tasks was required. Under the 10-10-10 constitutional arrangements⁸⁵, as far as Sint Maarten was concerned, and the constitutional arrangements that apply to Saba and Sint Eustatius (as well as to Bonaire)⁸⁶, it became clear that support from the Netherlands to all three islands was indispensable.

43. The situation was relatively unproblematic in Sint Eustatius and Saba, as these islands, along with the island of Bonaire, are public entities (special municipalities) under direct authority and responsibility of the European country the Netherlands. There were hence no legal impediments for the Netherlands to intervene in Sint Eustatius and Saba.

44. The situation was different in Sint Maarten, which has the status of one of the autonomous countries within the Kingdom along with Aruba, Curaçao and the Netherlands. Under the Charter of the Kingdom, Sint Maarten is responsible for its national response to disasters itself. Support from the Netherlands could, however, be provided under Article 36 of the Charter, which stipulates that the four countries of the Kingdom provide each other mutual help and support. The understanding in this regard has been that such help and support would require an explicit request to be addressed by a country in need to one or all other countries, including the Netherlands.

45. The Governor of Sint Maarten addressed a formal request for assistance to the Netherlands Ministry of Defence on 4 September 2017, when it became clear that the island would be impacted by Hurricane Irma. The Ministry of Defence was best prepared to offer immediate emergency support and also had the advantage of being present in the region. Initial assistance was to

evaluators of parts I / III and II. The original idea expressed in the Letter to Parliament of 21 September 2020 of appointing an entire core team consisting of staff from the Ministry's reconstruction team was hence not realised.

⁸⁴ Hurricane Jose occurred on 9-10 September and Hurricane Maria on 18-20 September 2017.

⁸⁵ Charter of the Kingdom of the Netherlands, 10 October 2010, <https://wetten.overheid.nl/BWBR0002154/2017-11-17>

⁸⁶ Constitutional arrangements are described on the website of the Government of the Netherlands: <https://www.rijksoverheid.nl/onderwerpen/caribische-deel-van-het-koninkrijk/rechtspositie-politieke-ambtsdraggers-bonaire-sint-eustatius-saba>, website consulted on 26 December 2022.

comprise setting up shelters, damage assessments and maintaining public law and order. Military staff and equipment were expedited from Curaçao on 3 September and arrived in Sint Maarten on 5 September 2017. The initial mandate was to expire on 10 September, but it was extended until further order by another request emanating from the Governor on 8 September 2017⁸⁷.

46. In the Netherlands, i.e., both in the European Netherlands and in the Caribbean Netherlands, the Ministry of Justice and Security has the formal mandate to coordinate crisis management in its capacity of National Coordinator for the Fight Against Terrorism and for Security⁸⁸ (NCTV). In the post-Irma situation, it was, however, quickly decided that the Ministry of BZK was better placed to take on this task, as it was formally in charge of the coordination of Kingdom relations on the Dutch side⁸⁹. Within two weeks (formally as from 18 September 2017), the Ministry of BZK took over operational leadership from the Ministry of Defence and started to chair coordination meetings⁹⁰. However, according to a variety of sources, the Ministry of BZK was not sufficiently prepared to coordinate and substantively lead a humanitarian response (and at a later stage reconstruction efforts). Its mandate had always mainly been geared towards governance. The Ministry did not have enough staff with experience with humanitarian disasters, in the Caribbean or elsewhere. The Ministry nevertheless succeeded in quickly gearing up for the novel challenge. Within two days after the disaster, a director general was appointed to take charge of reconstruction in the Windward Islands. Shortly afterwards, a crisis team was also set up in The Hague with the responsibility of coordinating the emergency assistance.

47. This crisis team was composed of members of the Ministerial Committee on Crisis Management (MCCB)⁹¹ and members of the Interdepartmental Committee on Crisis Management (ICCB) with representatives from, among others, the Ministries of BZK, Defence, Infrastructure and Water Management, Foreign Affairs and Justice and Security. In principle, these structures are characterized by flexibility, as experts can be brought in as required and the structure can be adapted as needed⁹². The drawback was, however, that these structures operated out of the Netherlands and lacked experience and familiarity with the Caribbean.

48. In Sint Maarten, the Representation of the Netherlands acted as an outpost of the Government of the Netherlands. It benefitted from the support provided by the Representation of the Netherlands in Curaçao⁹³. A few days after the hurricane, the Ministry of BZK sent a civil mission to Sint Maarten composed of staff of the Ministry of BZK and other ministries in the Netherlands. The civil mission addressed urgent needs including waste disposal, water supply, electricity and immediate housing needs. The team also undertook a needs assessment and conveyed it to The Hague. The civil mission was active from two days after the hurricane until the end of November 2017. Communication between the civil mission in Sint Maarten and the coordinators in The Hague did not go smoothly at the start, in part because of the loss of crucial infrastructure and in part because processes, roles and responsibilities still had to be figured out.

49. By and large, those involved in the process at the time tend to agree with hindsight that the Netherlands found it difficult to respond to the need of an overarching response for the three islands. The most coherent and effective action in this regard was provided by the Ministry of Defence in the immediate aftermath of the disaster. Subsequent action coordinated by the Ministry of BZK was relatively quick, but fragmented and characterized by a high degree of improvisation

⁸⁷ The respective correspondence was made available to the evaluators by the Ministry of Defence.

⁸⁸ NCTV (*Nationaal Coördinator Terrorismebestrijding en Veiligheid*).

⁸⁹ COT: *Instituut voor Veiligheids- en Crisismanagement (juli 2018), Evaluatie Nationale Crisisorganisatie Orkaan Irma*, Rotterdam (p.9).

⁹⁰ *Ministerie van Defensie (mei 2020), Evaluatie militaire inzet orkaan Irma 2017, Den Haag (p. 16)*.

⁹¹ The MCCB is chaired by the Minister of Justice and Security, or the Prime Minister, and decides (by majority vote) on all measures and provisions with a view to a coherent approach in a crisis situation. The MCCB and the ICCB are supported and advised by an Interdepartmental Coordination Council (IAO). *Nationale crisisstructuur* <https://www.nctv.nl/onderwerpen/nationale-crisisstructuur>

Website consulted on 26 September 2022

⁹² COT: *Instituut voor Veiligheids- en Crisismanagement (juli 2018), Evaluatie Nationale Crisisorganisatie Orkaan Irma*, Rotterdam (p.5).

⁹³ The Representation in Curacao aimed to help in the coordination of aid and assistance, e.g. by coordinating flights to / from Sint Maarten for the transport of aid workers and evacuees.

across the board. The lack of familiarity with conditions on the ground in the three islands proved to hamper the mobilisation of support in the Netherlands.

3.1.2. Local mandates and structures for disaster management

50. The most immediate challenge after the disaster was to assess the damage caused by the hurricanes and to identify the most pressing needs of the population. On all three islands, these tasks were in principle vested with local authorities. In this context, it is important to understand the local mandates and structures for emergency preparedness and response. They are summarized in table 3.

Table 3: Mandates and structures for emergency preparedness and response in Sint Eustatius / Saba and in Sint Maarten

Sint Eustatius and Saba	Sint Maarten
In Saba and Sint Eustatius, the system for disaster management is laid down in the BES Safety Act (<i>Veiligheidswet BES</i>)⁹⁴. This law came into effect on 10 October 2010 and stipulates that the island governors on Saba and Sint Eustatius play a central role, similarly to the role of a mayor in the municipalities within the Netherlands. The island governor has supreme command over his or her territory in the event of a disaster or crisis in that territory. The role of island disaster coordinator is fulfilled by the island secretary. When scaling up the crisis or disaster to the higher national level, the supreme command remains with the governor. In case of upscaling and requests for assistance, the Kingdom Representative, stationed in Bonaire, acts as a link between the Caribbean Netherlands and the European Netherlands⁹⁵.	The disaster management system of Sint Maarten⁹⁶ is laid down in the National Ordinance Disaster Management (<i>Landsverordening rampenbestrijding</i>)⁹⁷. This national ordinance highlights the duties and responsibilities in the event of a disaster. It includes the obligation to draw up a contingency plan, which stipulates how to effectively act in the event of a disaster. The National Emergency Operation Centre (EOC) plays a central role within the disaster management structure of Sint Maarten. The EOC is activated when a natural disaster approaches. When the EOC is activated, the Prime Minister is elevated to a commanding position and is responsible for taking final decisions at the strategic level. Within the EOC, the coordinating role is assigned to the chief of the fire department (Fire Chief)⁹⁸. Another part of the disaster management structure is the Emergency Service Functions (ESF), a group of ten thematic supporting bodies that operate during emergency situations. Due to the multiple sectors, the ESF can be the main provider of all inventories of emergency goods. Local NGOs, embedded into the ESFs, can provide emergency assistance and support in case of emergencies.

⁹⁴ Veiligheidswet BES <https://wetten.overheid.nl/BWBR0028586/2018-08-01>, website consulted on 26 September 2022.

⁹⁵ Ministry of Justice and Security & Ministry of BZK, Handboek crisisbeheersing voor de Caribische delen van het Koninkrijk, Den Haag, June 2020.

⁹⁶ See also Source: <http://www.sintmaartengov.org/PressReleases/Pages/The-Sint-Maarten-Disaster-Management-Organization.aspx>, website consulted on 26 September 2022.

⁹⁷ Landsverordening rampenbestrijding, 30 May 2015 <https://lokaleregelgeving.overheid.nl/CVDR206085>, website consulted on 26 September 2022.

⁹⁸ The World Bank. Sint Maarten National Recovery and Resilience Plan, p 12.

51. In practice, in both cases, these structures and procedures did not entirely work as foreseen, albeit for different reasons. Of particular interest is the question to what extent and in what ways established procedures were followed, notably also as far as interactions with the Netherlands were concerned.

52. In Sint Eustatius and Saba, the central role of the Kingdom Representative in Bonaire was not respected. For example, all military-related requests for assistance were forwarded directly to the Ministry of Defence. The Ministry of BZK received requests mainly for building materials, but most requests for drinking water, food and medication etc. were primarily submitted through existing connections to the various line ministries in the Netherlands. They were thereafter coordinated by the Ministry of BZK. This led to some confusion⁹⁹. As the Kingdom Representative in Bonaire was bypassed, information was not always centralised and a full overview of requests of assistance is lacking.

53. In Sint Maarten, five days before Hurricane Irma reached the island, the EOC was activated. However, once the disaster had happened, the EOC no longer functioned as intended. There were ambiguities as to tasks and responsibilities between ESF and there was a general lack of coordination, information-sharing and priority-setting. With the exception of the Governor, the national government and its public services were largely absent from the scene. Members of the Council of Ministers and senior staff (e.g., the Royal Police Force KPSM) had themselves personally been affected by the disaster and primarily attended their own personal needs and those of their families. The crucial role of the Prime Minister in national disaster coordination was not fulfilled. This was particularly delicate, as in principle the Netherlands could not intervene in Sint Maarten beyond a strictly military mandate, as in respect of the autonomous status of the country and in compliance with Article 36 of the Charter of the Kingdom formal requests for assistance addressed to the Netherlands were required.

54. Immediately before, during and after the disaster, the Netherlands Ministry of Defence assisted national authorities, as requested by the Governor of Sint Maarten, in assisting national authorities in providing shelters, assessing damages and ensuring public order and security. Unrest and looting were not uncommon on the island at that time. The military also assumed other tasks, e.g., making the most urgent repairs to physical infrastructure (roads, buildings, the perimeter of the airport, debris removal in general etc.), addressing the needs of most vulnerable segments of the population (e.g., the elderly) and evacuating non-residents. The interventions of the military from the Netherlands were well appreciated by the population of Sint Maarten. But the Government of Sint Maarten, once recovered from its initial lethargy, i.e., as from October 2017, was more critical of the interventions at the beginning of the emergency phase.

3.1.3. Damage assessments and the immediate response

55. During the first days after Hurricane Irma, several damage assessments were carried out by the Ministry of Defence and a variety of other actors (NGO's, media etc.). They were summarized in a Letter to Parliament (*Tweede Kamer*) by the Minister of BZK dated 8 September 2017¹⁰⁰. Table 4 contains the main highlights of damages incurred on the three islands as described in the Letter.

⁹⁹ Ministerie van Justitie en Veiligheid/ Inspectie Justitie en Veiligheid (mei 2018), *Onderzoek naar het Systeem van rampenbestrijding op de BES-eilanden. Incidentenonderzoek naar aanleiding van de passage van de orkanen Irma, Jose en Maria*. Den Haag (p.37).

¹⁰⁰ Kstk 34773-1, Brief van de Minister van Binnenlandse Zaken en Koninkrijksrelaties aan de Voorzitter van de Tweede Kamer d.d. 8 september 2017, https://www.tweedekamer.nl/kamerstukken/brieven_regering/detail?id=2017Z11783&did=2017D24607 website consulted on 26 September 2022.

Table 4: Damage assessments in Sint Eustatius / Saba and Sint Maarten as of 8 September 2017

Sint Eustatius and Saba	Sint Maarten
- No fatalities or serious injuries in Saba and Sint Eustatius. - Infrastructure (i.e. roads, airport and seaport) appears to be intact in Saba, but that there has been material damage to the houses. - Military personnel present in Saba is supporting people in first recovery efforts. - In Sint Eustatius, significant damage to houses and the natural environment. The electricity supply lines that have been affected are currently being rebuilt. The seaport and airport are operational but not operating at full capacity. - For both Saba and Sint Eustatius, the need for emergency aid in the coming period will mainly consist of repair work and replenishment of the water and food supply, for which these two islands typically depend on Sint Maarten. - For healthcare, options are being explored to allow for the medical care that normally takes place on Sint Maarten to take place elsewhere.	- Widespread destruction of infrastructure, houses and businesses. Many residents have become homeless. - The provision of emergency aid has encountered challenges, mainly due to the island's limited connectivity. This also makes it difficult to support the local government. - Basic supplies are limited. There is no electricity, no petrol, no running water and communication is difficult. - There is also talk of looting and other public order disturbances. - The current priorities lie in providing water and food and public order assistance, and in restoring the infrastructure needed to deliver relief supplies. - Utmost efforts are being carried out to urgently evacuate patients in Sint Maarten who are in critical condition. Defence aircraft and ambulance helicopters have been deployed from Sint Eustatius for this purpose.

56. In response, the Netherlands Council of Ministers made available EUR 55.0 million for emergency assistance to the three islands to cover needs related to drinking water and food, health care and physical infrastructure. The Ministerial Committee on Crisis Management decided that the funds would come from the Budget of Kingdom Relations administered by the Ministry of BZK. Disbursement of funds would be partly by the Ministry of BZK itself and partly by other line ministries in the Netherlands, e.g., the Ministries of Defence; Justice and Security; Infrastructure and Water Management; Health, Welfare and Sport; Foreign Affairs etc. The Ministry of BZK could also spend funds through other national and international partner organisations.

57. A modified procurement procedure was developed by the Ministry of BZK, which consisted of a special waiver allowing the other ministries to proceed with expenditures once needs were identified (and in principle requests had been received especially from Sint Maarten). Expenditures would be reimbursed by the Ministry of BZK ex-post with a simple record of the purchase order and justification of the expenditure. This approach worked well in practice, as it was appropriately fast and flexible in the face of urgent needs.

3.1.4. Requests for emergency assistance

58. In line with the constitutional arrangements under the Charter of the Kingdom (10-10-10), the Netherlands acts on the premise that support within the Kingdom is provided upon the reception of official requests for assistance. In the case of Saba and Sint Eustatius, official

requests for assistance had arrived even before effects of Hurricane Irma were felt. These first requests for assistance related to the provision of military assistance. After Irma had made landfall, the focus shifted to requests for acute emergency assistance (e.g., food and water and the evacuation of patients). The clear and timely requests for assistance ensured that support could be provided in a timely and targeted way.

59. As mentioned before (see 3.1.1.) the Governor of Sint Maarten made timely requests for military assistance as from 4 September 2017, when it became clear that the island would be impacted by a major hurricane. Requests for civil assistance followed as from 12 September. An important factor was that the maritime transit of goods would take at least two weeks. It was hence extremely urgent to load the naval vessel, the *Karel Doorman*, as quickly as possible. In certain cases, the supply of goods would be covered by formal requests later. The lack of familiarity on the Dutch side with conditions on the islands did, however, also result in some mismatches. For example, second-hand lorries were sent from the Netherlands (e.g., firetrucks, garbage vehicles), which did not run well on local gasoline and for which there were no spare parts.

60. In the longer run, i.e., between September and November 2017, which was the duration of the emergency assistance phase, communication improved. In principle, all assistance provided eventually responded to requests for assistance addressed to the Government in The Hague and almost all requests were honoured. The partial study I / III contains detailed overviews of the requests submitted by Sint Maarten, Saba and Sint Eustatius. These overviews can hence be trusted to cover all the emergency aid that was provided to the three islands¹⁰¹. It must be acknowledged that some of these requests were formulated in very general terms and staff in the Netherlands had to make efforts to interpret the expressed needs and identify the best solution. This process was not without flaws, as ministerial staff in the Netherlands sometimes lacked the necessary technical know-how or familiarity with the topics. In some cases, it was also difficult to assess whether a request reflected an emergency need or a more structural problem.

3.1.5. Effectiveness of emergency assistance – results achieved

61. According to the afore-mentioned Regulation on Periodic Policy Evaluations (RPE) (see 1.2.), effectiveness relates to the achievement of policy goals through inputs and activities whereby a distinction is usually made between outputs, outcomes and impact (see 1.2.). An assessment of effectiveness is possible when there are clear policy goals and when there is reporting that makes a distinction between direct results and products; higher level effects produced; and ultimate societal effects. As already mentioned before (see section 2.3.) Article 8 is by no means explicit as to the formulation of policy goals. The same applies to the different components of emergency assistance, none of which had “smart” (specific, measurable, achievable, relevant and time-bound) objectives.

62. Narrative reporting emanating from the different intervening ministries and other partners also mostly refer to inputs and activities, at best with an identification of beneficiaries, and lack proper information on results achieved. Results, i.e., effects of activities deployed can at best only be inferred indirectly. It is as far as an assessment of effectiveness of emergency assistance provided to the three islands can go.

63. Partial study I / III contains detailed overviews of projects implemented under Article 8.2. by ministries in the Netherlands and other organisations with information on expenditure per project, outputs and results¹⁰². Table 5 presents a summary of these projects per implementing ministry or other type of organisation. For details reference is made to the partial study.

¹⁰¹ Piecing together information on formal requests has nevertheless proven to be an arduous task, *inter alia*, because of weaknesses in the database system of the Ministry of BZK (*Digidoc*).

¹⁰² Partial study parts I / III, tables 4.4. – 4.11.

Table 5 – Summary table of emergency assistance provided by different organisations under Article 8.2.

Organisation	Total expenditure (x EUR 1.000) ¹⁰³	Activities / main outputs	Results
Ministry of Defence (Mindef) ¹⁰⁴	16.836	• Deployment of naval vessels From Curaçao and the Netherlands • Assistance with repair and clean-up work • Transport of food, water and medical material to Sint Maarten • Maintaining public law and security • Evacuation of non-residents	• Food, water and other supplies made available to the population • Restored communication lines and other public infrastructure • Law and order restored and maintained
National and international organisations ¹⁰⁵	1.716	• Handing out of food and water and other first aid.	• Inhabitants in critical condition assisted.
Ministry of Infrastructure and Water Management (IenW) ¹⁰⁶	6.350	• Transport of goods • Restoration of water supply and distribution, • Waste disposal contribution • Sint Maarten Airport access • Accessibility of Saba harbour • Repair of Sint Eustatius seawall dams	• Restoration of critical infrastructure required for the delivery of relief supplies;
Ministry of Health, Welfare and Sport (VWS) ¹⁰⁷	1.682	• Transport, stay and care of 63 kidney dialysis and wounded patients	• Successful evacuation of people with a medical emergency from Sint Maarten, Sint Eustatius and Saba to Curacao, Aruba and Bonaire
Ministry of Justice and Security (JenV) ¹⁰⁸	5.453	• Transfer and temporary detention of detainees from Sint Maarten in Curacao and the Netherlands. • Deployment of extra staff to ensure public law and security	• Detainees temporarily relocated • Local law and security staff reinforced
Ministry of Education, Culture and Science (OCW)	836	• Setting up of temporary airconditioned spaces and purchase of educational materials to restart education for students as soon as possible	• Educational facilities restored
Ministry of Foreign Affairs (Buza) ¹⁰⁹	318	• Arranging transport and administrative handling of evacuation of visitors and other foreigners	• Visitors and other foreigners evacuated

¹⁰³ The information is drawn from invoices presented to the Ministry of BZK and in the case of the Ministry of BZK itself from assignments covered.

¹⁰⁴ See also *Ministerie van Defensie (mei 2020), Evaluatie militaire inzet orkaan Irma 2017, Den Haag* (p. 30). It is understood that The Ministry of Defence bore the cost of military personnel itself.

¹⁰⁵ The Netherlands Red Cross; USAR (Dutch Urban Search and Rescue Team); UNDAC (United Nations Disaster Assessment and Coordination Team).

¹⁰⁶ Source: *Inventarisatie kosten noodhulp Ministerie van Infrastructuur en Waterstaat (IenW)* (17 November 2017). See also: Institute for Physical Safety (April 2018), Hurricane Irma affects Sint Maarten and the Caribbean Netherlands: an evaluation of the Crisis Management provided by the Ministry of Infrastructure and Water Management, Arnhem/ Zoetermeer.

¹⁰⁷ See also: COT *Instituut voor Veiligheids- en Crisismanagement (juli 2018), Evaluatie Nationale Crisisorganisatie Orkaan Irma, Rotterdam*

¹⁰⁸ See also: *Ministerie van Justitie en Veiligheid/ Inspectie Justitie en Veiligheid (mei 2018), Onderzoek naar het Systeem van rampenbestrijding op de BES-eilanden. Incidentenonderzoek naar aanleiding van de passage van de orkanen Irma, Jose en Maria. Den Haag* (p.8).

¹⁰⁹ Ministry of BuZa invoice for emergency response, including Annex with overview (dated 8 December 2017).

Ministry of BZK	7.348	• Transport services for materials and supplies • Housing of homeless families • Restoration of ambulance services • Repair works Saba and Sint Eustatius • Return of medical evacuees to Sint Maarten • Provisional repair of cliff Sint Eustatius • UNICEF-NL child protection programme • Outbreak prevention • Identification damage and first aid	• Restoration of basic infrastructure and public services
Total	40.539		

64. In the end, almost all requests for assistance were honoured and there was effectiveness in the sense that basic infrastructure and services were restored, the needs of vulnerable segments of the population were addressed and public order and security were restored and maintained. In Saba and Sint Eustatius basic needs were already addressed as early as on 13 September 2017, while the emergency assistance was expected to last longer in Sint Maarten¹¹⁰.

65. The assessment of the Damage Assessment Team of 20 September 2017¹¹¹ (after Hurricane Maria), showed that in Sint Maarten the main roads, the airport and the harbour were partly functioning again, but still needed further repairs. The situation was the same regarding water supply, electricity supply, gas stations, public services (hospital, police station, fire station and ambulance station) and schools. Most public services were operational approximately one month later, in the first week of October, and the majority of aid workers had left the country. On 10 October 2017, Princess Juliana International Airport (PJIA) reopened to commercial services. Prior to this, the airport had only been handling military and relief flights. Although the terminal hall was not operational, all airlines were set to resume operations.

3.1.6. Efficiency of emergency assistance

66. The afore-mentioned Regulation on Periodic Policy Evaluations (RPE) (see 1.2.) defines efficiency as the relation between the effects of the policy (benefit) and financial and other resources mobilized for this policy (cost). It is commonly understood that efficiency in terms of optimal cost / benefit is not the main priority in cases of crisis situations and emergency assistance. Timely action and the right type of support are what matters most¹¹².

67. In the case of post-Irma assistance, this principle was followed, as primary needs were assessed, and priorities defined at an early stage. Financial resources were made available, and respective roles of different ministries were then determined. It was quickly agreed in the Ministerial Committee on Crisis Management (MCCB) (see 3.1.1.) that the costs for the provision of emergency assistance to Sint Maarten, Sint Eustatius and Saba would be financed centrally from the Budget of Kingdom Relations administered by the Ministry of BZK¹¹³. In view of the need to act quickly, a modified waiver procedure was developed by the Ministry of BZK to respond to requests for assistance. In this modified procedure, the usual procurement procedures were waived, and only a record of the purchase order and grounds for exception were required. It was determined in advance that the relevant ministries were responsible themselves for the lawful application of the

¹¹⁰ Kstk 34773-2, Kamerbrief van 18 september 2017. Verslag bezoek Zijne Majesteit de Koning aan Sint Maarten, Saba en Sint Eustatius en stand van zaken Nederlandse bijdrage aan noodhulp aan de Bovenwindse eilanden. 2017-00004128. https://www.tweedekamer.nl/kamerstukken/brieven_regering/detail?id=2017Z12270&did=2017D25763 website consulted on 26 September 2022.

¹¹¹ Koninklijke Luchtmacht, 20 september 2017. Schadebeeld Sint Maarten na orkanen IRMA en MARIA 2017.

¹¹² For a more extensive discussion of the use of evaluation criteria in humanitarian action see ALNAP (Active Learning Network for Accountability and Performance in Humanitarian Action) 2016, Evaluation of Humanitarian Action Guide, chapter 6 <https://www.alnap.org/system/files/content/resource/files/main/alnap-evaluation-humanitarian-action-2016.pdf> website consulted on 26 September 2022.

¹¹³ See Ministerie van BZK (14 september 2017), Nota Waiver Procedure- inzake noodhulp orkaan Irma Sint Maarten.

procurement law. After all, it was not the Ministry of BZK, but rather the ministries, which were responsible for the purchases of goods and services used for emergency assistance.

68. Given the need to act quickly, it can be assumed that the lowest cost was not the most important selection criterion, but rather the timely availability of the necessary goods and services. This goal was by and large achieved. The larger portion of the initial budget of EUR 55.0 million, i.e. 40.5 million, was disbursed. In this context it should be mentioned that the initial budget was based on a quick and rough estimate with the underlying political expectation that there should not be a shortage of funds.

69. As indicated earlier (see 3.1.1. and 3.1.2.) disaster management systems did not function optimally. Most importantly, there was no supra-island coordination point or coordination team. Because logistic processes were mainly focused on Sint Maarten, Saba and Sint Eustatius became dependent on the relief goods that were first delivered to Sint Maarten. A study carried out on behalf of the Ministry of Justice and Security looked into the functioning of the existing disaster management systems on these islands. It concluded that while all separate parts of the disaster management system were operational in 2017, there was a lack of coherence and coordination between these parts¹¹⁴. The report therefore found that the disaster management system on these islands did not yet fully function as intended in the BES Safety Act¹¹⁵.

70. In Sint Maarten there were ambiguities about the division of tasks and responsibilities on a practical level, especially between the ESFs (see 3.1.2.), and weaknesses in the central role to be assumed by the Prime Minister. As a result, the counterparts of the Ministry of BZK on the island lacked proper guidance and coordination. Due to this lack of coordination, the flow of information was inadequate, and prioritisation was difficult in the European Netherlands, at least initially. During the days following Irma, action was therefore based on estimates on the side of The Hague (push) – rather than being demand-driven from the island (pull). Although the worst effects of the hurricanes were quickly addressed, it was not due to the proper functioning of the system.

3.1.7. Improvements to the emergency response capacity since 2018 based on post-Irma lessons learned

71. Since 2018, the Government of the Netherlands has reviewed its role and capacity to respond to large scale crises in the Caribbean parts of the Kingdom. Fundamental considerations have been the autonomous status of Curaçao, Aruba and Sint Maarten and the responsibilities for emergency preparedness and immediate disaster response accruing from this autonomous status. Furthermore, The Netherlands Ministry of Justice and Security is the National Coordinator of the Fight against Terrorism and of Security (NCTV¹¹⁶) for crisis management both in the European Netherlands and in the Caribbean Netherlands. As was the case in 2017, the Ministry of BZK is likely to be called upon to assume a major role in disaster responses in the Caribbean parts of the Kingdom. In 2019, it was concluded on the basis of lessons learned from post-Irma experiences that the Ministry of BZK needed to be strengthened to be better prepared for this role. A dedicated crisis team was created in the Ministry of BZK in 2019¹¹⁷ comprising professional staff in the Netherlands and in the Caribbean. The structure is supposed to provide leadership and cooperate closely with all relevant partners in the Netherlands and in the Caribbean.

72. In June 2020, the Netherlands Ministry of Justice and Security and the Ministry of BZK published a handbook on crisis management for the Caribbean parts of the Kingdom¹¹⁸. The

¹¹⁴ *Ministerie van Justitie en Veiligheid/ Inspectie Justitie en Veiligheid (mei 2018), Onderzoek naar het Systeem van rampenbestrijding op de BES-eilanden. Incidentenonderzoek naar aanleiding van de passage van de orkanen Irma, Jose en Maria. Den Haag (p.5).*

¹¹⁵ *Veiligheidswet BES, 30 september 2010, <https://wetten.overheid.nl/BWBR0028586/2018-08-01> website consulted on 26 September 2022*

¹¹⁶ *Nationaal Coördinator Terrorismedbestrijding en Veiligheid (NCTV).*

¹¹⁷ See Ministry of Finance, *Voorjaarsnota 2019*

https://www.tweedekamer.nl/kamerstukken/brieven_regering/detail?id=2019Z10306&did=2019D21200, website consulted on 26 September 2022.

¹¹⁸ *Ministerie van Justitie & Veiligheid & Ministerie van BZK (juni 2020), Handboek Crisisbeheersing voor de Caribische delen van het Koninkrijk, Den Haag.*

handbook draws lessons from the post-hurricane experiences in 2017 and seeks to clarify roles and procedures of different ministries in the Netherlands and other partners in case the European Netherlands is requested to intervene in disaster management in the Caribbean. The handbook does not discuss disaster preparedness and response on the islands, as this is considered part of local responsibilities in Sint Eustatius and Saba and a national responsibility in the case of Sint Maarten. It is understood that procedures defined in the handbook need to be tested and disseminated in practice. Since 2020, this has been done in joint disaster drills (*HUREX*¹¹⁹), during which different parties to be called upon can familiarize themselves with what is expected from them¹²⁰. In addition, various ministries in the Netherlands have further elaborated their roles and relevant procedures in concrete internal instructions and handbooks since 2018. Of particular interest have been arrangements under the Regional Platform for Crisis Cooperation.

3.2. Reconstruction in Sint Eustatius and Saba

3.2.1. Design and organisation

73. Within days after Hurricane Irma the public entities of Sint Eustatius and Saba addressed requests for support to reconstruction to the Government in The Hague: Sint Eustatius on 14 September 2017 and Saba on 17 September 2017¹²¹. The Government of the Netherlands quickly confirmed in political statements made by the then Minister of BZK and the Prime Minister that while planning a major contribution to the reconstruction in Sint Maarten, the two public entities would not be forgotten. On 10 November 2017, the Council of Ministers made a formal decision to provide financial support to a maximum of EUR 67.0 million to Sint Eustatius and Saba for recovery along with a commitment to reconstruction funds for Sint Maarten in the amount of a maximum of EUR 550.0 million¹²².

74. The overall maximum amount of EUR 67.0 million was to be mobilized from the budgets of various ministries on the basis of their respective mandates and responsibilities. A maximum of EUR 16.5 million would eventually come from Article 8 of the Budget of Kingdom Relations to which a maximum of EUR 1.5 million would be added as a subsidy to the *Saba, Statia Cable System* (SSCS), a sea cable between Sint Maarten and the two islands. The remainder would be provided by other ministries. The full overview of budget allocations is presented in table 6. The overview includes details on the purpose of the different budget lines.

Table 6 Financial budget allocations for the reconstruction on Sint Eustatius and Saba after Irma (all ministries)¹²³

Budget	Sint Eustatius (EUR x 1 000)	Saba (EUR x 1 000)	Total (EUR x 1.000)
Article 8: Ministry of BZK of which:	12.631	3.861	16.492
<i>Cliff (incl. exchange rate differences)</i>	9.279		

¹¹⁹ Hurricane Exercise (HUREX).

¹²⁰ The response during the Covid pandemic has also turned out to be a major laboratory for all structures and handbooks in place.

¹²¹ Sources: 1. *Rijksvertegenwoordiger voor Bonaire, Sint Eustatius en Saba. Brief aan minister Plasterk met het verzoek om bijstand wederopbouw. 14 september 2017. Kenmerk Rv/17u/106.* 2. *Public Entity of Saba. Overview of all measures requested. 15 november 2017.*

¹²² Kstk 34773-5. Brief van de staatssecretaris van Binnenlandse zaken en Koninkrijksrelaties. 10 november 2017 https://www.tweedekamer.nl/kamerstukken/brieven_regering/detail?id=2017Z15143&did=2017D31844 website consulted on 26 September 2022.

¹²³ Sources: 1. Documentation received from the Ministry of BZK regarding all ministries; 2. Article 8 excel overview for Article 8 data.

Budget	Sint Eustatius (EUR x 1 000)	Saba (EUR x 1 000)	Total (EUR x 1.000)
<i>Housing & public space</i>	2.552	3.661	
<i>Nature and environment</i>	800	200	
Ministry of Infrastructure and Water Management (I&W) of which:	28.737	18.069	46.806
<i>Airport</i>	4.825	675	
<i>Erosion Airport</i>	10.000		
<i>Harbour</i>	12.000	15.000	
<i>Roads</i>	400	300	
<i>Garbage</i>	1.312	1.894	
<i>Water</i>	200	200	
Ministry of Education, Culture and Science (OCW) of which:	273	170	443
<i>Education</i>	273	170	
Ministry of Economic Affairs and Climate (EZK) of which:	955	1.659	2.614
<i>Touristic sector</i>	955	1.659	
Total in EUR	42.596	23.759	66.355
Art 8 – Ministry of BZK – SSCS sea cable		1.538	1.538
Total in EUR			67.893

75. The share of Article 8 funding in the overall envelope for the two islands was hence EUR 12.6 million for Sint Eustatius, almost EUR 3.9 million for Saba and EUR 1.5 million for the sea cable. The overall total of budgeted funds amounted to EUR 18.0 million. All of these funds were disbursed by 31 December 2021. But by 31 December 2021 expenditures eventually proved to be higher than planned, totalling EUR 20.4 million. This was due especially to the higher cost of stabilisation of the cliff in Sint Eustatius (see 3.2.2.).

76. Reconstruction projects were proposed by the two public entities in consultation with the line ministries and the Ministry of BZK. Each island also has an executive council that is responsible for that island's day-to-day governance. The executive council implements the

decisions of the island council¹²⁴. Line ministries were accountable for projects implemented on their respective budgets. In the same vein, the Ministry of BZK was accountable only for activities funded from Article 8., i.e. a) the cliff in Sint Eustatius; b) projects related to housing and the natural environment on both islands as well as c) the sea cable.

77. At the same time, the Ministry of BZK supposedly assumed an overall coordinating role for the entirety of the Dutch support to reconstruction on the two islands. In practice, there are indications that this coordinating role was not systematically realised. For example, the Ministry of BZK did not play a clear role in periodic inter-ministerial meetings.

78. The fact that a major share of recovery funding for Saba and Sint Eustatius came from outside Article 8 is due to the fact that due to their constitutional status as public entities of the Netherlands (as part of the BES islands¹²⁵), these islands have direct access to a broader range of budget lines than the independent countries that are governed by the Charter of the Kingdom (10-10-10)¹²⁶. These BES budget lines include provisions from the budgets of line ministries other than those of the Budget of Kingdom Relations administered by the Ministry of BZK.

79. The assessment of effectiveness, i.e., of results achieved in terms of outputs, outcomes and impact in line with the Regulation on Periodic Evaluations (RPE) (see 1.2.), is challenging as no specific, measurable, achievable, relevant and time-bound ("smart") objectives had been defined at the outset and reporting was rather unspecific in this regard. The information contained in the partial study I / III and the following tables is based on a best-effort approach.

3.2.2. Effectiveness – reconstruction results achieved in Sint Eustatius under Article 8

80. Table 7 summarizes disbursements made for support to reconstruction in Sint Eustatius under Article 8. The larger share of this expenditure covered stabilisation of the cliff supporting the historical landmark of Fort Oranje and prevention of further erosion. The original budget (see table 6) was bypassed by almost EUR 2.4 million.

Table 7 – Summary table of disbursements, activities / outputs and results for support to reconstruction in Sint Eustatius provided under Article 8 (x EUR 1.000)

Purpose	Total disbursements (EUR x 1.000)	Activities / main outputs	Results
Cliff¹²⁷	11.640	• Placement of 2.800 anchors, 7.400 square metres of canvas and just under 16.000 m3 of mesh; • Building of a fence to restrict public access to the cliff; • Cascade to channel drainage to the sea.	Increased stability and erosion prevention of the cliff for the next five decades.
Housing and public space	2.552	• Provision of goods and building materials, including building materials for houses, businesses and public buildings; • Prioritisation, tendering, proper supervision and enforcement of building activities; • Repair of monuments, the Dutch Reformed Church, public graveyards, the fence of the old	• 137 houses repaired before the end of 2019; • Repair of monuments, the Dutch Reformed Church, public graveyards, the fence of the old administration building, a ruin and unpaved roads.

¹²⁴ On 7 February 2018 the island authorities of St Eustatius were replaced by a Government Commissioner. This occurred because the island council, the executive council and the Governor were not performing their tasks effectively.

¹²⁵ BES islands comprise Bonaire, Sint Eustatius and Saba.

¹²⁶ Countries under the Charter of the Kingdom are Curacao, Aruba, the Netherlands and Sint Maarten.

¹²⁷ Including exchange rate differences.

		administration building, a ruin and unpaved roads.	
Nature and environment	800	• Agricultural recovery, agricultural water supply, coral restoration, recovery buoys and mooring system, restoration of the botanical garden, reforestation and recovery of breeding sea turtles; • Managing, conserving and restoring Sint Eustatius' natural resources and educating the community of its values.	• Agriculture and fishery restored; • Water catchment agricultural businesses; • Coral recovery; • Buoys and mooring system marine park; • Botanical garden recovered; • Reforestation.
Total	14.992		

81. The cliff project addressed a combination of hurricane damage and deferred maintenance. The need for cliff stabilisation had already been discussed with the Ministry of BZK in 2016, due to severe safety issues. The hurricane worsened the situation. The project was internationally tendered and therefore independent from the local reconstruction program. An external inspection found that the work done on the cliff met its purpose, but that in order to prevent it from deteriorating it needed to be quickly covered in vegetation. The issue was eventually addressed¹²⁸.

82. Activities related to housing and the public space were directed at damages identified by the Royal Netherlands Navy in the immediate aftermath of the disaster. They were coordinated by a project manager assigned by the Ministry of BZK. Challenges included increases in the cost of building materials. A number of monuments in the public space were already in poor condition before the hurricanes struck. The arrival of the hurricanes worsened the situation and caused even more safety issues. Projects were selected in order to ensure safety and were almost all locally tendered. Due to the busy schedule of local contractors, projects related to public monuments were pushed back slightly, as priority was given to repairing houses. The use of local constructors not only boosted the economy, but also ensured effective compliance with building procedures (*BES Bouwbesluit*¹²⁹).

83. The environmental damage affected the flora and fauna on the island. All projects met the expectations and have been finalised according to the progress reports of the implementing agency, the Sint Eustatius National Parks Foundation (STENAPA)¹³⁰. The latest projects were finished at the end of 2021.

84. In summary, reconstruction efforts in Sint Eustatius under Article 8 were effective and also made the island more resilient and better prepared for future disasters. Reconstruction works started early after the emergency assistance. Communication between Sint Eustatius and the Ministry of BZK was clear throughout the reconstruction phase. Effective relations resulted in short lines of communication and quick action. Some of the projects were delayed due to shortage of materials and labour, however, extensions were provided by the Ministry of BZK in order to overcome these issues.

3.2.3. Effectiveness – reconstruction results achieved in Saba under Article 8

85. The Ministry of BZK contributed a total of EUR 3.861 million to the reconstruction of Saba, of which EUR 3.661 to the restoration of housing and the public space and EUR 200.000 for projects in nature and the environment. Disbursements were in line with budget allocations (see

¹²⁸ RoyalHaskoningDHV, 10 juni 2021. *Afronding en overdracht Klif Stabilisatie Project. Sint Eustatius*.

¹²⁹ Building decree *BES Bouwbesluit*, available at: <https://wetten.overheid.nl/BWBR0036000/2017-07-01> website consulted on 26 September 2022.

¹³⁰ Sint Eustatius National Parks Foundation (STENAPA), see <https://www.statiapark.org/about-us/> website consulted on 26 September 2022.

table 6). Table 8 contains an overview of disbursements, activities / outputs and results for support to reconstruction in Saba provided under Article 8.

Table 8 – Summary table of disbursements, activities / outputs and results for support to reconstruction in Saba provided under Article 8 (x EUR 1.000)

Organisation	Total disbursements	Activities / main outputs	Results
Housing and public space	3.661	• Personnel and materials non-governmental buildings • Furniture • Governmental buildings • Demolishing inhabitable buildings • Playgrounds	All damaged buildings were repaired by local construction companies.
Nature and environment	200	• Compensation of fishermen and farmers • Repair of equipment and signs on nature trails	Damages to nature and the environment restored.
Total	3.861		

86. The Public Entity of Saba sent a request for assistance to the Ministry of BZK, to help with the reconstruction. Project plans were submitted, and the Public Entity of Saba received the reconstruction budget from the Ministry of BZK. The Public Entity delegated the construction works for the houses and public space to the Planning Bureau, which is responsible for the implementation of civil works projects initiated by the government. The Planning Bureau designed the projects, tendered for proposals and evaluated the bids. It supervised the contractors to ensure that the projects were executed to the required specifications. The focus was on the private houses, with governmental buildings the last to be repaired. The process was hampered by a shortage of contractors, materials and labour, but building activities could be completed by June / July 2020. Restoration of nature and the environment was also completed effectively and in a timely manner.

3.2.4. Effectiveness – reconstruction results achieved on the sea cable to Sint Eustatius and Saba

87. The islands of Saba and Sint Eustatius have been connected via a submarine cable to the international sea cable network of St. Kitts, Sint Maarten and St. Bart's since 2013. The hurricanes damaged the cable protection and landing constructions. The *Saba, Statia Cable System* (SSCS) set up a tender procedure and commissioned a contractor to design a new cable landing structure in Saba. Table 9 summarizes disbursements, inputs, activities / output and results of the SSCS.

Table 9 – Summary table of disbursements, activities / outputs and results for support to the Saba, Statia Cable System (SSCS) provided under Article 8 (x EUR 1.000)

Organisation	Total disbursements	Activities / main outputs	Results
Subsidy SSCS sea cable	1.538	Repair works	More robust sea cable than before the hurricanes
Total	1.538		

88. Works were delayed due to Covid-19 restrictions and therefore conducted later in 2020, They were mostly completed during 2021. The repair works abided by the principle of "Building Back Better".

3.2.5. Efficiency of reconstruction support to Sint Eustatius and Saba

89. As defined by the Regulation on Periodic Evaluations (RPE) efficiency is the relation between the effects of a policy (benefit) and financial and other resources mobilized for this policy (cost). For several reasons, the assessment of efficiency of reconstruction on Saba and Sint Eustatius is difficult. Firstly, benefits were not defined clearly as basic principle of results-based management were not applied, neither at the overall policy level nor the level of specific projects. Secondly, there were no calculations of economic rates of return, neither at the outset nor in the reporting. Finally, the contribution of Article 8 funding (EUR 20.4 million in terms of disbursements) was but a relatively small part of the overall funding to be provided by the Government of the Netherlands (EUR 67.9 million).

90. There are no indications that rules of the Government of the Netherlands relating to volume / use and price / tariff components were not followed. Larger projects, e.g., reconstruction of the cliff in Sint Eustatius and restoration of the sea cable, were internationally tendered and respective rules were respected as confirmed by independent audits. Local projects on both islands were granted to local contractors working at local rates and conditions. Over time, materials and labour became more expensive, which led to a situation when an increased effort was requested from the population, i.e., only building materials were supplied and labour costs were no longer covered.

3.3. Reconstruction in Sint Maarten

3.3.1. Design and organisation

91. Longer term reconstruction needs in Sint Maarten were considered at an early stage, i.e., while emergency assistance was still under way. It was immediately clear that there was considerably more damage caused by the hurricanes in Sint Maarten than on the other two islands. As early as on 15 September 2017, a little more than a week after the hurricane, a Ministerial Committee for the Reconstruction of the Windward Islands and an inter-departmental programme commission were created in the Netherlands. On 13 October 2017, the then Minister of BZK, Mr. R.H.A. Plasterk, addressed a letter to the Government of Sint Maarten¹³¹ announcing that a significant financial envelope could be made available for the reconstruction of the island, provided Sint Maarten gave its consent to two conditionalities, viz. a) the establishment of an Integrity Chamber; and b) strengthening of border control. Both conditions were described as essential for the support to benefit the population of Sint Maarten in a sustainable manner.

92. In the letter of 13 October 2017, there is no mention of a request for support to reconstruction submitted or to be submitted by the Government of Sint Maarten. Consent to conditionalities was expected by 31 October 2017. This was, however, not forthcoming. There is evidence that then Prime Minister in Sint Maarten, Mr. William Marlin, did not wish to agree to the conditions. This led to two votes of no-confidence in the Parliament of Sint Maarten and an instruction by the Kingdom Council of Ministers (*Rijksministerraad*), as a result of which Prime Minister Marlin had to leave office on 24 November 2017¹³². The interim Government, which took over, eventually consented to the conditions soon after¹³³. A national ordinance (*landsverordening*) established the Integrity Chamber on 18 December 2017 and a regulation concerning the strengthening of border control was made official on 19 December 2017.

93. In the Netherlands, a new government was formed on 26 October 2017¹³⁴ as a result of elections held on 15 March 2017. State Secretary Mr. R. Knops took charge of Kingdom Relations. On 10 November 2017, the Council of Ministers of the Netherlands agreed on an envelope of EUR

¹³¹ Letter of the Netherlands Minister of the Interior and Kingdom Relations addressed to the Government of Sint Maarten on 13 October 2017.

¹³² Kst-34773 of 7 December 2017 – Letter by the State Secretary of BZK addressed to the Senate (*Eerste Kamer*).

¹³³ Kst-34 773. Interim Prime Minister Rafael Boasma was replaced by Interim Prime Minister Ms. Leona Marlin-Romeo on 15 January 2018.

¹³⁴ Under the leadership of Prime Minister M. Rutte, who entered his third term. The cabinet is therefore commonly referred to as Rutte-III.

550.0 million to be reserved for reconstruction in Sint Maarten, provided conditionalities were met. Reconstruction funds were to be disbursed by the Ministry of BZK by the end of 2021¹³⁵ and would be released in tranches in the form of donations, loans and in-kind support. The option of involvement of an international organisation in reconstruction of Sint Maarten was considered right from the beginning.

94. The decision to spend more than half a billion euros on reconstruction was made at a political level. There was very limited technical underpinning of this decision. It was in part a rough extrapolation from funds spent on reconstruction in the wake of Hurricane Luis in 1995 and in part based on a rapid needs assessment on the ground considering what private insurers would compensate and what could be mobilised in Sint Maarten itself. Debates with Parliament in the Netherlands focused not so much on the amount, but primarily on safeguards for adequate spending to benefit the population in Sint Maarten, with a particular emphasis on appropriate institutional arrangements that were supposedly required. There was apparently also no attention for what such a huge injection into the small economy of Sint Maarten might entail.

95. At the outset, the first option of simply handing the entire amount over to Sint Maarten and let the island administration handle reconstruction by itself was quickly discarded by the Ministry of BZK. This was due to a lack of confidence that Sint Maarten would be able to handle the funds appropriately by itself, i.e., not to misuse it to cover current account deficits. A second option that was considered was direct and broad involvement of the Netherlands. It was concluded that this would run counter to the spirit of 10-10-10 emphasizing the autonomy of the country of Sint Maarten. A third option was to involve some kind of intermediary to handle reconstruction efforts.

96. On the occasion of the Annual Meeting of the World Bank Group in Washington DC on 13-15 October 2017, informal consultations took place between the delegation from the Netherlands and senior Bank management, about a possible role that the Bank could play in planning for the reconstruction of Sint Maarten in spite of the fact that as a high-income country Sint Maarten would not be eligible for bank lending. But it was concluded that the Bank had relevant international expertise and experience in reconstruction and strengthening of resilience and that options for cooperation needed to be explored further.

97. In Sint Maarten, elections for a new Parliament took place on 26 February 2018. The formation of a new government was concluded on 25 June 2018, when the caretaker Prime Minister, Ms. Leona Marlin-Romeo, was appointed to lead the new cabinet (commonly referred to as Marlin-Romeo II following the interim cabinet Marlin-Romeo I). The formation process coincided with forthright action undertaken by the Government of the Netherlands, namely, beyond launching early recovery activities - to be completed by mid-2018 - adopting a two-pronged approach for the medium term. The larger share would be spent through the World Bank Trust Fund (initially estimated at a maximum of EUR 470.0 million) and the difference of EUR 80.0 million basically through early recovery and direct support. Direct support activities would in principle be those, for which Trust Fund implementation was not possible or desirable¹³⁶.

3.3.2. Early recovery – bridging emergency assistance and reconstruction between December 2017 and mid-2018

98. The Government of the Netherlands and the World Bank proceeded with great expediency in establishing the Trust Fund. It was, however, clear from the outset that the signing of an Administration Arrangement would require some time and even if Trust Fund supported project activities were to commence very quickly thereafter, it would not be possible to respond expeditiously enough to urgent needs of the population on the ground, e.g., as far as housing, shelters, schools, income generation, and psychosocial care were concerned. It was therefore decided, unlike in Saba and Sint Eustatius, to launch an early recovery phase in Sint Maarten,

¹³⁵ In 2022, the deadline for disbursements was extended until 31 December 2028 for the World Bank supported Trust Fund.

¹³⁶ At a later stage direct support funds also served to provide technical assistance to Trust Fund activities.

which would bridge the emergency assistance completed at the end of November 2017 with the World Bank supported reconstruction phase that would at best start before the next hurricane season as from June 2018¹³⁷.

99. The funding of the early recovery phase was limited to a maximum of EUR 7.0 million, which was a relatively small share in the overall funding earmarked for reconstruction of EUR 550.0 million. The Ministry of BZK was apparently under the impression that a bridging phase of 6-7 months would be sufficient to address vulnerabilities of the population still existing after the emergency phase, and that Trust Fund projects would pick up quickly and quickly yield results. This expectation proved not to be realistic. Based on international experience, the World Bank was aware that the setting up of capacity in countries without previous experience with the Bank would take time. In the Netherlands, the Ministries of Finance and Foreign Affairs, more familiar with the World Bank, were apparently also more realistic in their expectations, but this message somehow did not register with the Ministry of BZK.

100. As from December 2017 the Ministry of BZK invited trusted partner organisations to submit project proposals not exceeding six months that would address immediate social and economic needs. Preference was given to those organisations already active on the ground and those with existing links to ongoing activities under the emergency response, e.g., the White-Yellow Cross Care Foundation (WYCCF), the Sint Maarten Development Foundation (SMDF), the Netherlands Red Cross (NLRC), UNICEF Netherlands, Qredits micro-financing, and the United Nations Development Programme (UNDP).

101. It was assumed that the selected organisations would be familiar with needs and priorities on the ground and that they would be able to quickly deliver results. The Ministry of BZK did not provide much guidance or supervision as to how projects were to be shaped, implemented or reported on. It would be sufficient for organisations to present audited financial statements on past activities and general costed technical proposals for activities to be undertaken. The latter were discussed mostly informally with the Ministry of BZK and the civil mission in Sint Maarten. In many cases, project documents were adjusted during implementation and reporting was relatively general.

102. Table 10 summarizes expenditures as reported by the Ministry of BZK. The total of disbursements was almost EUR 6.8 million out of EUR 7.0 million budgeted¹³⁸. On the basis of reporting of implementing organisations table 10 summarizes activities / outputs and results.

Table 10: Summary table of disbursements, activities / outputs and results for support to early recovery in Sint Maarten provided under Article 8 (x EUR 1.000)¹³⁹

Partner organisation	Projects	Total disbursements (EUR x 1.000)	Activities / main outputs	Results
White Yellow Cross Care Foundation (WYCCF)	- Construction project "Beter bouwen" - Retraining project construction assistants "Nieuwe kansen" - Retraining project care assistants "Zorgen voor elkaar"	980	- Construction support to 48 households (initial target 45 households) - Retraining of 24 construction assistants (initial target 20 graduates) - Retraining of 25 care assistants (initial target 20 graduates)	48 households could repair homes 17 construction assistants graduated (80 % found a job within three months) 20 care assistants graduated (90 % found a job within three months)

¹³⁷ Kstk 34773-7, Brief van de Staatssecretaris van BZK aan de Voorzitter van de Tweede Kamer, Stand van zaken met betrekking tot wederopbouw van de Bovenwindse Eilanden, 21 december 2017, https://www.tweedekamer.nl/kamerstukken/brieven_regering/detail?id=2017Z18741&did=2017D38615 website consulted on 26 September 2022.

¹³⁸ The balance of EUR 0.2 million was transferred to funds available for direct support.

¹³⁹ Ministry of BZK, financial data reported as per 15 July 2021.

UNICEF Netherlands¹⁴⁰	- Life skills education through sports for adolescents - Psychosocial assistance to children affected by Hurricane Irma	453	- Training of 17 local football coaches and 9 physical education teachers (initial target 25-30 trained football coaches) - Outreach to 650 children - Supply of materials to 14 after-school sport organisations - Training of 98 professionals "Return to Happiness" (initial target 120 professionals)	17 local football coaches and 9 physical education teachers trained 650 children benefitted. 14 after-school sport organisations equipped with materials. 98 professionals trained 5 films for the Children's Rights Festival from which 200 children benefitted
Netherlands Red Cross (NLRC)	- School meal programme - Waste to work	1.225	- Distribution of 875.782 meals in 18 elementary schools and 5 secondary schools - Assessment of waste related opportunities and setting up a network	3.116 children received meals - Entrepreneur portfolio related to waste related opportunities
United Nations Development Programme (UNDP)	- Housing voucher programme - Island clean-up - Rebuilding small community infrastructure (planned but not implemented)	2.242	- Repair of 75 dwellings (initial target of 500 dwellings) - Clean-up activities for 204 people (initial target 500 people)	75 dwellings repaired 16.000 m3 of hurricane debris removed and 87 backyards and public spaces cleaned up
Qredits	90 soft loans	555	Provision of 90 soft loans (initial target)	90 soft loans granted
Sint Maarten Development Foundation (SMDF)	Elderly Home Repair Project	1.280	Repair of 76 elderly homes (initial target 75 homes)	76 homes repaired of which 16 made of concrete
Total		6.735		

103. The rather succinct and unspecific nature of the project documents and reports is the reason why the documentation is not a good basis for the assessment of effectiveness and efficiency of activities. By and large it can however be stated that the projects met their principal purpose, which was providing welcome relief to vulnerable segments of the population. The rolled-out projects can be grouped under the components of a) food provision (*school meals*); b) housing (*construction projects, voucher programme and rebuilding small community infrastructure*); d) psychosocial support (*psychosocial assistance*); and e) labour market (re)integration (*retraining courses, life skills education, waste to work, island clean up, soft loans*). Several organisations tackled several of these issues under one programme.

104. Projects varied in terms of their effectiveness and efficiency. In most cases, adjustments had to be made during implementation to scope and / or target because of under-estimated or changing costs. Qredits' soft loans, and the SMDF's housing project, built on ongoing activities and allowed organisations to establish realistic goals and meet these within the time period. Similarly, the WYCCF embedded the training and construction activities into its structure making use of existing relations and networks. UNDP, an organisation with less experience on the island, had to significantly adjust its project targets across the programme, after finding out that several of the assumptions made at proposal stage did not hold, as well as encountering tendering issues. The

¹⁴⁰ UNICEF Netherlands is a national committee of the United Nations Children's Fund headquartered in New York. It is mainly tasked with fund-raising. Since the international organization UNICEF cannot assist high-income countries, it has been agreed that UNICEF-NL could support a country of the Kingdom like Sint Maarten.

NLRC had a mixed experience. Its school meals programme can be deemed a success, but the roof repair project (not funded by Article 8) encountered some challenges. Other projects such as UNICEF's psychosocial assistance to children and the NLRC's Waste to Work initiative required some adaptation during implementation to be able to meet its output targets.

105. A salient lesson learned from early recovery activities has been that organisations that were local or at least well established on the island well before Hurricane Irma performed better than organisations coming in from the outside. A good example of a local NGO is the WYCCF, which had strong ties with the grass-root level. Some organisations, e.g. the Netherlands Red Cross and UNICEF-NL¹⁴¹, had small local offices staffed with volunteers who also proved to be extremely helpful, but who required external support for major relief operations. An organisation without strong local roots was UNDP, which has a strong regional presence in the Caribbean, but which lacked familiarity with Sint Maarten resulting in a gross over-estimation of how many houses could be repaired with the available budget.

106. Another salient feature of all early recovery projects was their short duration. By design almost all projects were to be completed by mid-2018, as the expectation was that the World Bank supported Trust Fund would take over as from that time. At least one NGO, Qredits, addressed several requests for extension to the Ministry of BZK, which were, however, not honoured. As the early recovery projects were also limited in scope, pressing needs of the population in terms of housing (e.g., roof repairs), shelter, small community infrastructure, psychosocial care, retraining and income generation remained largely unattended as from mid-2018. The Trust Fund, apart from requiring time-consuming policy changes in Sint Maarten for its setup, also initially gave priority to large infrastructure projects, e.g. the Sint Maarten Medical Center, debris management and reconstruction of the Airport Terminal. Small-scale social projects with objectives akin to early recovery activities were only considered at a later stage.

3.3.3. Features of the National Recovery and Resilience Plan (NRRP) and the World Bank executed Trust Fund

107. In line with its experiences with reconstruction projects in other parts of the world, the World Bank started with support to the Government of Sint Maarten in drawing up a comprehensive National Recovery and Resilience Plan (NRRP). The process was started in January 2018 and completed in May 2018. The NRRP was formally a venture led and owned by the Government of Sint Maarten with strong support provided principally by the World Bank. The plan was eventually unanimously approved by the Parliament of Sint Maarten, which developed ownership for the document¹⁴².

108. The NRRP estimated damages and losses caused by Hurricanes Irma and Maria at USD 2.7 billion (USD 1.4 billion and USD 1.3 billion, respectively). Recovery and resilience activities over a seven-year period would require an estimated USD 2.3 billion. The sectors with the greatest needs would be housing (22.8 percent), tourism and commerce (19.0 percent), governance and public financial management (9.4 percent), sanitation and solid waste management (8.3 percent), airport (7.6 percent), and education, culture, youth and sport (5.1 percent).

109. Within the broad NRRP assessment of damage caused by Hurricane Irma and the definition of a general roadmap for reconstruction, the Trust Fund to be established by the Netherlands would determine its own priorities, viz. strengthening access to the country and economic development, solid waste and wastewater management, as well as good governance and social services.

¹⁴¹ UNICEF Netherlands is a national committee of the United Nations Children's Fund headquartered in New York mainly tasked with fund-raising. In countries and territories where the global UNICEF would not usually intervene, in particular Caribbean countries of the Kingdom of the Netherlands, UNICEF Netherlands can offer support services that are part of UNICEF's global mandate.

¹⁴² It is noteworthy that drawing up the plan involved some 170 national and international experts, the majority of whom came to Sint Maarten from the World Bank and other external organisations within a relatively short period of time in early 2018.

110. The NRRP drew attention to a significant funding gap between the promised Trust Fund financed by the Netherlands (USD 580.0 million corresponding to EUR 470.0 million at the April 2018 exchange rate) and the needs estimated at USD 2.3 billion. Additional sources of funding would include insurance claims and insurance payments for property. The remainder would have to be found from the private sector, individual savings, other international support and the national budget as well as possibly loans on international capital markets¹⁴³. To what extent the funding gap has been closed since 2018 has not been systematically investigated¹⁴⁴.

111. Specific priorities and objectives were formulated for the Trust Fund. According to the Administration Arrangement concluded between the Netherlands and the World Bank, the Trust Fund would address three thematic areas: a) community recovery in social sectors; b) economic recovery through reconstruction of critical infrastructure and businesses; and c) governance recovery strengthening the country's readiness in facing natural disasters and climate change. These strategic focus areas were eventually elaborated further in a Strategic Framework Document 2019-2025. A systematic overview of strategic focus areas and objectives is presented in Table 11.

Table 11: Strategic focus areas¹⁴⁵

Focus Area 1 Promote Sustainable Economic Recovery	Focus Area 2 Invest in citizens and resilient communities	Focus Area 3 Build the Foundation and Capacity to Improve Long Term Resilience and Good Governance
Objective 1: Sustainably restore air access and improve connectivity	Objective 4: Repair and increase access to housing especially for the vulnerable	Objective 7: Improve capacity for disaster response
Objective 2: Support tourism activity through access to finance, resilient utility services	Objective 5: Increase access to quality health, education and sports services	Objective 8: Strengthen fiscal resilience and modernize the public sector
Objective 3: Establish a sustainable solid waste management system with improved sanitation services	Objective 6: Strengthen social safety nets and promote employment, particularly for vulnerable youth and households headed by women	

112. As from March 2018, concrete projects were discussed, e.g., addressing emergency recovery, emergency debris removal and management, hospital resilience and preparedness and emergency income support and training (see overview of projects in table 13). Border control which was a central concern to the Netherlands fell outside World Bank's sphere of mandate, policies and procedures for Trust Funds. Nor was the Integrity Chamber referred to as an important control mechanism in the process. Border control and other areas related to law and order were relegated to direct support outside World Bank involvement. The Bank was apparently found to have enough procurement rules and other safeguards by itself to warrant adequate spending of the funds.

113. The Administration Arrangement mentions that the document, including its annexes, is not an international treaty and is not eligible for registration as a treaty under Article 102 of the United Nations¹⁴⁶. The text includes many standard provisions of World Bank Trust Funds. But it also contains a few adjustments at the request of the Government of the Netherlands. One peculiarity is that it is a single-donor trust fund with only one recipient country, Sint Maarten. Another is through a variety of ways in which the Netherlands would be closely involved in the management of the Trust Fund. The Netherlands insisted on maintaining the right to modify the initially agreed

¹⁴³ The Netherlands strongly opposed borrowing on international capital markets, as it would have to act as borrower of last resort in case of an unsustainable debt burden.

¹⁴⁴ As from early 2020, the country, like the rest of the world, suffered from the effects on the economy of the Covid-19 pandemic. The main source of income, which is tourism, including the cruise ship industry, suffered from a serious downturn between 2020 and 2021.

¹⁴⁵ World Bank Reconstruction, Recovery and Resilience Trust Fund, Strategic Framework 2019-2025, 1 August 2019.

¹⁴⁶ Administration Arrangement, paragraph 10.

periodicity of tranche payments and even on exercising the authority to unilaterally suspend the Trust Fund if deemed necessary. Given the single donor / recipient model, the Netherlands is in a position to be more engaged in the specifics and details of implementation than is customary in other Trust Funds due to the narrow geographical scope of spending. Also, the World Bank appreciates the Netherlands' highly detailed knowledge of what is happening on the ground in Sint Maarten.

114. A tripartite Steering Committee was to become the governance body consisting of a representative of the World Bank, a representative of the Netherlands, and a representative of Sint Maarten (the latter the Prime Minister or his / her designee). The Steering Committee would meet at least bi-annually and approve strategic priorities and annual work programmes as well as budget allocations. The decisions of the Steering Committee would be by consensus, preferably on a no-objection basis. The Steering Committee has decision-making power over yearly workplans and over the allocation of funding to projects as well as the mandate to monitor progress and guide implementation. However, the Steering Committee does not have the authority to intervene in the implementation of projects, nor in project related decision-making. This is the province of the World Bank and the recipient country as set out in the grant agreements signed between them. The Steering Committee would be supported by a Technical Working Group.

115. A distinction was made between a) Bank executed activities, essentially strengthening of institutional frameworks and operational capacity, programme management and administration and project implementation support; and b) recipient executed activities, which basically consist of the implementation of projects. In addition, the need was felt to create in Sint Maarten an institution that could operate outside the budget of the Government of Sint Maarten, as its budget was not balanced and diversion of funds to cover public spending deficits was to be avoided. On 15 March 2018, an Interim Recovery Committee (IRC) was created that would handle responsibilities on the side of Sint Maarten. It lay the groundwork for the creation of a more permanent institution, the National Recovery Program Bureau (NRPB), by National Ordinance of 6 September 2018¹⁴⁷. The NRPB became fully operational in January 2019. It was to be an autonomous administrative authority (*zelfstandig bestuursorgaan*), i.e., a legal entity. The NRPB's main task would be to prepare, coordinate, implement and evaluate projects financed under the Trust Fund. In addition, it would also be mandated to identify and implement recovery, reconstruction and resilience projects financed from other sources than the Trust Fund.

116. In its communications to Parliament, the Netherlands Ministry of BZK made it clear that it favoured project implementation not only through governmental institutions, but also through non-governmental organisations (NGOs), the private sector and possibly other national and international organisations. Guided by debates in the House of Representatives (*Tweede Kamer*), the Government expressed special interest in promoting NGOs and private companies (including potential providers from other territories of the Kingdom, e.g., Bonaire and Curaçao) to become involved in reconstruction activities¹⁴⁸. This insistence by a donor was at variance with the rules on international competitive bidding practiced by the World Bank. While the World Bank followed these rules, it did agree to meet with stakeholders including companies and NGOs from the Netherlands and other parts of the Kingdom to encourage interest and explain the rules and procedures for participating in Trust Fund implementation. This was also necessary, because companies from outside the Kingdom tended to show but limited interest in Sint Maarten due to the remoteness of the island and the small size of its economy.

117. The entire budget of the Trust Fund was to be released to the World Bank in four tranches. The first and second tranches were released in 2018 amounting to EUR 112.0 million and EUR 150.0 million respectively. A third tranche of EUR 90.0 million was transferred in November 2020. The fourth tranche amounting to EUR 86.115.000 was sent to the World Bank in October 2021. The total now adds up to EUR 438.115 million. This amount is lower than the EUR 470.0 million

¹⁴⁷ *Afkondigingsblad van Sint Maarten, Jaargang 2018, No. 33, National Ordinance of September 6th, 2018, for the temporary establishment of the National Recovery Program Bureau and for regulating its organisation, composition, tasks and powers (Temporary National Ordinance on the National Recovery Program Bureau).*

¹⁴⁸ *Kstk. 34773, Brief van de Staatssecretaris van Binnenlandse Zaken en Koninkrijksrelaties aan de Voorzitter van de Tweede Kamer der Staten-Generaal d.d. 23 maart 2018.*

originally foreseen, as deductions were made for disbursements by the Netherlands Government through bilateral channels. The amount of EUR 15.3 million was used for liquidity support to Sint Maarten in 2018. It was also agreed between Sint Maarten and the Netherlands in 2021 that EUR 15.0 million would be deducted from the Trust Fund budget and made available through Covid-19 related liquidity support (COHO) (see also table 1 in section 3.1. and section 8.1.).

118. Table 12 provides an overview of disbursements received from the Ministry of BZK as well as other investment income that has been generated for the Trust Fund by the World Bank's Treasury Department since Trust Fund inception. The total amount received is USD 525.837.862. The Annual Report also states that as of 31 December 2021 USD 171.315.05 had been disbursed, USD 186.350.471 were undisbursed and another USD 159.153.020 were still available. If the administrative fee of USD 9.0 million is added, the above-mentioned received amount of USD 525.837.862 is accounted for.

Table 12: Status of Trust Fund disbursements as of 31 December 2021 (in USD)¹⁴⁹

Funds received		Status of disbursements		
Received from the Government of the Netherlands	511.964.051	Disbursed operational (RETF + BETF) ¹⁵⁰	165.932.155	
Investment Income to date	13.873.811	Disbursed non-operational (PM&A) ¹⁵¹	5.382.900	
		Total disbursements to date		171.315.055
		Undisbursed operational (RETF + BETF)	185.093.371	
		Undisbursed non-operational (PM&A)	1.257.100	
		Total undisbursed to date		186.350.471
		Funds available for disbursement and allocation of confirmed activities		159.135.020
		Administration fee to date		9.037.316
Total funds received	525.837.862	Total disbursements		525.837.862

¹⁴⁹ World Bank Trust Fund Annual Report 2021, Appendix C.

¹⁵⁰ RETF = Recipient-executed Trust Fund, BETF = Bank-executed Trust Fund.

¹⁵¹ PM&A = Program Management and Administration.

3.3.4. Trust Fund projects – results achieved

119. The World Bank produced several analytical and strategic reports, some of which are available in the public domain. For example, in 2020 a Public Expenditure Review¹⁵² was conducted as well as the Sint Maarten 2020-2022 Tourism Recovery study¹⁵³. In support of proposed project activities, sectoral studies were undertaken, e.g., the 2020 Rapid Housing Assessment¹⁵⁴ and several studies on debris management in 2018¹⁵⁵.

120. Table 13 contains an overview of Trust Fund projects as of 31 December 2021 as reported in the Trust Fund Annual Report 2021. The second column mentions the date of approval of the respective project and third and fourth columns mention Trust Fund commitments and disbursements as of 31 December 2021. The last column on the right summarizes main results achieved as reported by Trust Fund Semi-Annual and Annual Reports presented between 2018 and 2021¹⁵⁶, which are in the public domain and present the main source of evidence concerning the projects¹⁵⁷.

Table 13: Funding and results of Trust Fund projects (as of 31 December 2021)¹⁵⁸

Project	Approval	Trust Fund Commitments USD million	Trust Fund Disbursements USD million	Main results
Projects under implementation:				
Emergency Recovery Project (ERP-I)	10 July 2018	100.20	49.33	• Repair of 410 homes out of 519 targeted (including 141 private homes and 269 social units, of which 109 were repaired under the project and 160 units retroactively¹⁵⁹); • Repair of 11 shelters (of a total of 12 in Sint Maarten); • Repair of 3 priority schools out of 19 targeted¹⁶⁰; • Improvement of working conditions of first responders (repair of 2 police stations; communication and breathing equipment as well as 3 fire trucks for the Fire Department; 4 ambulances by March 2022); • Repair of the radiosonde building for the Meteorological Department; • Restoring water and electricity utility services (restoration of 4 water tanks; trenching to advance the underground piping and cabling of the water and electricity distribution network); • Conduct of a terrain and bathymetric survey for the mapping of multiple hazard risks and related training; • Continuation of the Caribbean Catastrophe Risk Insurance Facility (CCIRF) and preparation of membership in the Caribbean Disaster Emergency Management Agency (CDEMA); • Establishment of the National Recovery and Program Bureau (NRPB).

¹⁵² World Bank 2020, St. Maarten Public Expenditure Review.

¹⁵³ World Bank 2020-2022 Sint Maarten Tourism Recovery Priority Action Plan.

¹⁵⁴ World Bank 2020 Rapid Housing Assessment Sint Maarten.

¹⁵⁵ For example, World Bank 2018 Air Screening Results at Pond Island Municipal Waste Disposal and Debris Sites Sint Maarten.

¹⁵⁶ Trust Fund documentation can be found on the website ><https://www.sintmaartenrecovery.org>> consulted on 26 September 2022.

¹⁵⁷ Elaborate descriptions of all projects can be found in the partial report II.

¹⁵⁸ Source for financial figures: Trust Fund Annual Report 2021.

¹⁵⁹ Presumably under a reimbursement procedure for households that were found eligible after having made the investments themselves.

¹⁶⁰ Slow progress due to the need to temporarily relocate students and Covid-19 restrictions and also the need to conduct an environmental screening for asbestos and mould assessments in all 19 schools.

Emergency Income Support and Training Project (EISTP)	02 August 2018	22.50	19.91	• Temporary income support and improvement of employability of un- and underemployed workers, initially in the hospitality sector and progressively in other sectors (1.960 unemployed and underemployed individuals, of whom 69 percent were women, 16 percent young and 76 percent unemployed; graduation rate was 94 percent; • Strengthening of the social protection system's capacity for shock response and protection of the poor and aims to develop a modernized social registry system for the Ministry of Public Health, Social Development and Labor (VSA)¹⁶¹.
Hospital Resiliency and Preparedness	16 August 2018	28.61	21.4	• New building of Sint Maarten General Hospital with the aim of making it hurricane category 5 resilient, thereby substantially increasing hospital capacity and improving health services; • Upgrading the existing hospital and enhancing the quality and scope of hospital services, including updating critical guidelines and carrying out routine technical audits of their application; • Significant decrease in the number of referrals abroad.
Emergency Debris Management Project (EDMP)	21 December 2018	25.0	18.01	• Integration of fire control within routine landfill management activities; • Studies: one short-term and one long-term plan for waste management, a regional market study for waste management in the Caribbean, two feasibility studies and a sector financial framework; • Roadmap setting deadlines for the preparation of the Environmental and Social Impact Assessment (ESIA), the Environmental and Social Management Plan (ESMP) and the Resettlement Action Plan (RAP); • Resettlement of the population living in the vicinity of the landfill, which is under threat of landslides and health hazards due to the toxic environment; • 139 shipwreck salvaged and 10.5 km of shoreline cleaned; • Long-term planning for solid waste management.
Airport Terminal Reconstruction Project	9 December 2019	92.0	21.48	• Airport management was supported between 2018 and 2020 resulting in release of insurance payments and ensuring financial liquidity; • Setting up of a financial architecture for investments with long term benefits for Sint Maarten Government; • Reconstruction of the airport terminal meeting social and environmental safeguards to be completed by the third quarter of 2023. • Reinstatement of the fire sprinkling system, the completion of mould remediation and waste disposal activities.
Red Cross Roof Repair Project	30 December 2019	3.75	3.75	• Repair of 182 of the initially targeted 200 damaged roofs for vulnerable households; • 75 of the households that benefitted from the support were female-headed. 63 craftsmen were trained to become skilled local construction workers; • Introduction of stringent procurement and social and environmental safeguards.
Enterprise Support Project (ESP)	30 December 2019	35.0	12.19	• Support to micro, small and medium sized enterprises that under normal circumstances do not qualify for loans from commercial banks; • Access to financing for asset replacement, non-structural repairs, and working capital, channelled through the NRPB and local participating financial institutions; • 103 firms were approved to receive financing through 3 participating financial institutions and

¹⁶¹ Project in progress as of 31 December 2021.

				additional applications were in the pipeline at different stages of review.
Civil Society Partnership Facility for Resilience Project (R4CR)	26 June 2020	7.23	2.10	• 1.970 people were served by the project, which should ultimately reach 10.000 people; • Training activities addressed capacity gaps in proposal submission, project management, financial management, monitoring and evaluation and reporting; • Grants awarded to 12 civil society organisations (CSOs) for services to the elderly, youth, and disabled persons for minor upgrade to community spaces and environmental projects; • 12 additional grants handed out, which mainly focused on psychosocial and emotional support, youth employment and skills development, day care and afternoon school services, programs addressing gender-based violence, recreation and sports, nature and environment and arts and cultural activities.
Child Resilience and Protection Project	22 October 2020	5.0	1.77	• School-based child resilience and well-being programme; • Child protection programme to address child abuse and neglect; • Disaster and emergency preparedness programme for schools.
Sint Maarten Digital Government Transformation Project (DGTP)	18 March 2021	12.0	0	• Improved access to and efficiency of selected public services for citizens and businesses; • Resiliency of government systems, e.g., interoperability framework that will allow ministries to connect with one another and exchange data and improve the workflow and user-friendliness of the public service centres.
Fostering Resilient Learning Project preparation grant (FRLP)	11 March 2021	1.8 ¹⁶²	1.73	• Rebuilding of safe and inclusive schools; • Restoring a community learning and cultural environment; and • Strengthening of the Management Information System of the Ministry of Education, Culture, Youth and Sports (MECYS).
Recipient executed Trust Fund Projects under preparation¹⁶³:				
Additional funding Emergency Debris Project ¹⁶⁴	Estimated approval Q4 2021	25.0 (estimated)		• Resettlement of people living in the vicinity of the landfill; • Complete handling of metal wrecks and car wrecks; • Implementation of the Design, Build and Operate Contract for the Temporary Debris Storage and Reduction (TDSR) facility; and • Finance additional project management costs¹⁶⁵.
Long Term Waste Management ¹⁶⁶	Estimated approval Q3 2022	10.0 (estimated)		See previous.
Mental Health Project	Estimated approval Q1 2022	8.0 (estimated)		Support to Sint Maarten's Mental Health Foundation (MHF).

121. Analysis of the projects suggests that four projects - the ERP-I, the EISTP, the Hospital Project and the EDMP – were agreed upon within a very short timeframe after the signature of the Administration Arrangement on 16 April 2018, i.e., in August 2018. They were also implemented expeditiously. Two major projects - the Airport Project and the Debris Management Project -, although initiated with great urgency as from 2018, were much slower in getting off the ground, which was due to their relative managerial complexity. The much smaller NGO projects were initiated as from mid-2019 only and started more recently, i.e., as from 2020.

¹⁶² Additional funding in the amount of USD 30.0 million expected to be approved in 2022.

¹⁶³ Not included: a potential housing project, which will be discussed further during Q1 2022. See section 6.5.14.

¹⁶⁴ Allocated but not yet under preparation.

¹⁶⁵ It should be mentioned that major developments occurred in 2022, which fall outside the purview of this review.

¹⁶⁶ Allocated but not yet under preparation.

122. The ERP-I was a blanket project addressing a variety of emergency needs during the start-up of the Trust Fund and during the years to come. The most important outcome was the establishment of the National Recovery Program Bureau (NRPB) in early 2019. As a project, the NRPB also served as a laboratory to assess the required regulatory framework and capacities (or lack thereof) in the public and private sectors in Sint Maarten and create minimum conditions for other Trust Fund projects. Concurrently, the EISTP showed visible results in terms of income support, retraining and job creation, building on an existing initiative in the tourism sector badly damaged by the hurricane. This project can therefore clearly be considered a success story. At a later stage, in 2020, the Netherlands considered that unemployment and underemployment were mainly due to Covid-19 and no longer induced by Hurricane Irma and that other resources could be mobilized for income support, retraining and job creation.

123. As is demonstrated in the Bank's annual reports, all projects were well aligned to the NRRP and the Strategic Framework Document 2019-2025 under the NRRP. As from the start, all three sectors had major activities that were initiated, e.g., the social sector with the Hospital Project, the Emergency Debris Management Project (EDMP) and various public utility services under ERP-I, the economic sector with the Airport Project and the EISTP, and governance recovery for disaster preparedness with respective components built into all projects. Lagging were social needs of the population at the grass-root level, e.g., badly needed repairs to shelters, housing, schools and other social infrastructure, in spite of some initiatives under the ERP-I. These are typically areas addressed by NGOs, which were slow in becoming involved. NGO-implemented projects came off the ground as from 2020 only, as this type of social needs was not prioritized before 2019.

124. This is surprising, as all partner organisations that were ultimately selected for Trust Fund project implementation (Qredits, VNG-International, Netherlands Red Cross, UNICEF Netherlands) had already been active in post-Irma recovery in one way or another. Most notably, with the exception of VNG-International, they had implemented projects under the early recovery component of Article 8 funding from the Ministry of BZK. Although covering much of the same ground, albeit at different scales in terms of funding volumes, there was a clear disconnect between early recovery and Trust Fund activities. At no time was the World Bank requested by the Ministry of BZK to connect to or build on early recovery activities. There was not only a gap in terms of time between 2018 and 2020, but also a major difference in approach and procedures. This will be analysed further in the section below on efficiency and in conclusions of the review (see sections 3.3.6 and in explanatory text to conclusion 22).

3.3.5. Trust Fund implementation - Building Back Better

125. According to the non-binding Appendix to the Administration Arrangement on Guiding Principles of the Government of the Netherlands the objective of the Dutch contribution is to Build Back Better. For analytical purposes, at least three dimensions can be distinguished in this ambitious agenda: a) material reconstruction of buildings and other physical infrastructure considered vital for social peace and national security to hurricane 5 resistant standards; b) improved disaster management capacity and disaster preparedness; and c) a broad agenda of good governance, strengthening of civil society, economic diversification and policies aiming at sustainable development in pursuit of social and environmental goals.

126. Assessing Building Back Better for physical infrastructure is difficult because there are no clear baselines. There is a consensus that the quality of physical infrastructure (housing, shelters, schools, police stations etc.) was poor already before Hurricane Irma and there had already been a huge gap in deferred maintenance when disaster struck. In a general sense, any new building would therefore probably be an improvement. However, the challenge to make sure that all new buildings will withstand category 5 hurricanes involves a very high standard for construction works at higher costs than without this requirement. The Trust Fund annual reports contain several observations on experiences made and dilemmas faced in building activities.

127. There are general assurances that the most important physical infrastructure projects, which are the Airport Terminal and the Hospital Projects, will meet standards of hurricane 5 resilience to the greatest possible extent. These standards been factored into the calculation of

required investments for both projects. The Airport as a government owned company and the Sint Maarten Medical Center as a foundation have included in their business plans operational expenses for interest, taxes, depreciation and amortization.

128. The situation is more problematic for other physical infrastructure, notably housing that is affordable to most of the population. Building Back Better is hampered by social, economic and technical factors. In the first place, demand for affordable housing hugely exceeds supply¹⁶⁷, as the Sint Maarten Housing Development Foundation (SMHDF), the agency in charge of social housing for the Sint Maarten Government, has a waiting list for 9.000 units, while currently handling a small portfolio of 769 units. The ERP-I project realised the refurbishment and improvement of 269 social units in SMHDF's Belvedere housing complex. Under the ERP-I, 269 homes in total have been supported in the SMHDFs Belvedere complex. An additional 106 private homes were also repaired under ERP-I. With a significant number of people living in overcrowded and sub-standard housing without access to basic services and waiting for adequate housing there is tremendous pressure to speed up building activities.

129. Roof repair and house improvements also face other serious social and technical challenges. Outside SMHDF social housing, an estimated 20-25 percent of the population live in informal settlements, and about 15 percent of building structures are informal. Supporting this population in improving their homes requires first and foremost clarification of ownership and tenancy. Furthermore, experience has shown that it does not make sense to place a hurricane-proof roof on a building that has a weak foundation and structure. Ensuring social and environmental safeguards as well as economic feasibility is a process that requires many time-consuming studies almost on a case-to-case basis. The higher the ambition to Build Better, the more there will be a challenge to meet urgent needs in a timely and cost-effective manner.

130. The overall goals of good governance both in the public and private domains, economic diversification and sustainable social and environmental goals are the overriding themes in the Strategic Framework of the Trust Fund and appear in virtually all project activities. Despite promising partial results, it is still too soon to assess in a comprehensive way, to what extent and in what ways these high goals will be achieved.

3.3.6. Efficiency of Trust Fund implementation

131. In Trust Fund administration, a distinction was made between Recipient Executed Activities and Bank Executed Activities. For Bank executed activities, the Trust Fund could be used for: a) staff costs; b) short-term consultants and temporaries; c) contractual services; d) equipment (including vehicles) and office premise lease costs; e) equipment purchased (including vehicles); f) media, workshops, conferences, and meetings; g) travel expenses. According to the Administration Arrangement, the Indirect Rate for the World Bank, defined as a percentage of personnel costs, was initially set at 17 percent of the grant accorded by the Netherlands in line with standards commonly applied by the Bank.

132. Trust Fund documentation in the public domain provides only broad and aggregated information on costs incurred for the different projects. It is beyond the remit of this policy review to assess if budget estimates for each of the projects and actual spending have been reasonable. The aim is here to understand the context and rationale as they underpin results. Several general features stand out in this regard: a) the periods of time required for project preparation and start-up of activities on the ground after approval by the Steering Committee perceived as relatively long by local stakeholders and some implementing partners¹⁶⁸; and b) the high number of studies and other project related documents, many of which address the Bank's social and environmental safeguards.

¹⁶⁷ Rapid Housing Assessment in 2020 and Note on the Sint Maarten Housing Project of 16 January 2022.

¹⁶⁸ Contrary to local perceptions, the World Bank contends that project preparation and start-up were actually relatively more expeditious than in other countries (15 percent faster than for World Bank disbursements in Latin America and the Caribbean overall; 22 percent faster than World Bank disbursements in the Caribbean and 25 percent faster than disbursements in small island states in the Caribbean.

133. For all projects, delays were due to political and social realities in Sint Maarten. The Airport Terminal Reconstruction Project could only be started once the bond holders had been satisfied and managerial issues in the holding and operating companies were addressed. The Bank and the Netherlands Government intervened strongly and successfully to create adequate conditions for the reconstruction of the Airport¹⁶⁹. Debris management had been neglected for many years resulting in serious health and environmental hazards. Resettlement of the population living in the vicinity of the dump has been an indispensable precondition to a proper clean-up and a more rigorous management of debris. For understandable reasons, this has taken time, which is due to reasons largely not related to the involvement of the Trust Fund.

134. The Bank applies the highest possible social and environmental standards. This proved beneficial especially for the Airport reconstruction and for the Hospital Resiliency Project. The Medical Center already met these standards to a large extent before Trust Fund support and found it relatively easy to comply with additional requirements. The Bank's social and environmental standards do evolve over time, which has to a certain extent complicated and slowed down the Emergency Debris Management Project (EDMP). All projects required financial, procurement and safeguards infrastructure to comply with World Bank policies and procedures. There were no national frameworks in these areas, and they had to be built from scratch. In addition, some major projects require major regulatory institutional and policy changes which take time and political will to implement. This has been time-consuming with yet uncertain outcomes. This has been true especially for projects with NGOs and CSOs as implementing partners.

135. The Bank now works with the Environmental and Social Framework (ESF)¹⁷⁰ that became effective on 1 October 2018. It is worth noting that the older projects started with previous operational guidelines continue to be guided by former safeguards, while newer ones need to abide by the new regime. This means that the NRPB has to handle two sets of guidelines which are significantly different. It should be mentioned that the Government of the Netherlands through its participation in Bank policy formulation at the global level played an active part in the design of the framework. It contains comprehensive and detailed benchmarks and guidelines in areas such as labour, non-discrimination, climate change mitigation and adaptation, biodiversity, community health and safety, and stakeholder engagement, including public participation and grievance mechanisms. The ESF uses a risk-based approach that applies increased oversight and promotes responsiveness to changes in project circumstances.

136. World Bank procedures can be trusted to include safeguards to ensure adequate justification of expenses in terms of volume / use and prices / standard rates. There are rigorous guidelines and protocols for the screening of all implementing partners and guarantees against all forms of corruption. At the same time, prices for example of building materials and equipment tend to be much higher on the island than elsewhere, as they need to be imported from overseas involving transport costs and, in some cases, administrative hassles.

137. For Sint Maarten many of the Trust Fund requirements were new and meeting them has been challenging both for the Government and for implementing partners. The regular budgetary process of the Government has not been apt to handle Trust Fund resources and contract award and management. This is a major responsibility of the NRPB which largely operates outside regular Government finances. The NRPB has gradually built up the necessary expertise to apply the Trust Fund procurement guidelines, fiduciary responsibilities and social and environmental safeguards. This should over time ease the burden on the Bank's project support and supervision. However, as of now the latter remains quite considerable.

138. Legal impediments, e.g., the requirement of tax exemptions, prevented the Bank from opening an office in Sint Maarten for a long time¹⁷¹. Since 2020, Bank staff and consultants have

¹⁶⁹ For further details see explanatory text to conclusion 18 and partial study II.

¹⁷⁰ <https://www.worldbank.org/en/projects-operations/environmental-and-social-framework>, website consulted on 26 September 2022.

¹⁷¹ It should be noted that legislation for international organisations was approved by the Sint Maarten Parliament in 2022. The Establishment Agreement for the World Bank in Sint Maarten was approved by the *Rijksministerraad* in July 2022.

faced travel restrictions related to Covid-19. The Trust Fund annual reports mention several other factors that constrained international competitive bidding. For example, it has been a challenge to attract qualified international firms because of the relative remoteness of the island, the small size of the market, high costs involved, competition on the local labour market, and difficulties in obtaining visas and work-permits for expatriates. In practical terms, the preference seems to have been to grant contracts to local firms, capacity of which is limited, and to firms from within the Kingdom. Local firms are often not able to submit acceptable bids, to meet insurance, bonding and financial requirements through local banks and, during implementation, not to exceed agreed budgets. Firms from within the Kingdom face similar challenges as foreign firms, e.g. shortage of labour and materials.

139. Smaller implementing partners, especially NGOs and CSOs, experience dealing with the Trust Fund as very bureaucratic and at times exasperating. They also claim that the process involves high transaction costs for them as well, e.g., during preparation and bidding, which are only partly compensated. At the same time, the increased demand on building materials has raised prices on the local market, which has made forecasting of building costs difficult. They also report that they find it troublesome to comply with World Bank requirements making it necessary to make adjustments to proposals and / or protocols during implementation. All these factors explain to a large extent, why start-up and implementation of the smaller social sector projects have been perceived as rather slow.

140. Special arrangements around the funding of reconstruction of the Airport are of particular importance. Since Princess Juliana International Airport Operating Company (PJIAE) is a separate profit-oriented legal entity, the Sint Maarten Government decided to release the funds provided under the Trust Fund to PJIAE not as a grant, but as a loan at basically the same concessional terms as the loan of the European Investment Bank (EIB) to PJIAE of USD 50.0 million. This arrangement was concluded between the Sint Maarten Government and PJIAE with support of the World Bank and the Netherlands. The lending set up is acknowledged in the Grant Agreement between the World Bank and Sint Maarten with the proviso that some conditions need to be met. Key among them is that the terms be equivalent or better than the terms provided by the EIB under its loan. For the purposes of Trust Fund administration, the expenditure remains a grant to Government, commensurate with the Trust Fund setup. Monies are disbursed to Government under the Grant only against advancement of works on the ground, i.e., as long as this project produces the results for which resources were provided. The intermediate lending steps are not of concern to the Trust Fund.

141. The reimbursement of the loan (by PJIAE to the Sint Maarten Government) and the release of a certain part of the amount on hold in the World Bank to the Government of Sint Maarten (at the request of and subject to certain conditions being met by PJIAE) will over time create the significant capital expected to be in the order of USD 90.0 million. This amount will be at the disposal of the Sint Maarten Government. Reflows are expected as from 2027. The proposal is to use this capital for the establishment of a National Resilience Fund / Disaster Risk Finance Facility. Discussions as to governance, management and operation of such a fund / facility had, however, barely begun at the end of 2021. Technical assistance by the World Bank was started. The proposal offers interesting perspectives for the medium and long term for Sint Maarten to address national disasters in a more sustainable way (see also conclusion 25 and recommendation 10).

3.3.7. Involvement of the Government of the Netherlands in Trust Fund administration

142. The Administration Arrangement defines the role of the tripartite Steering Committee, which exercises significant decision-making power over the design and execution of the Trust Fund. The Steering Committee, which operates by consensus and preferably on a non-objection basis, approves strategic priorities and annual work programmes as well as project allocations. This ensures at a very formal level that the Netherlands is strongly involved in the management of the Trust Fund.

143. With meetings taking place three or four times a year, the mechanism has worked well and has entirely served its purpose. There has been continuity in the Dutch representation, as the

same title holder has remained in place since the beginning. The position has been held by a senior person, who held several political offices in the past and who has apparently enjoyed a good working relationship with the State Secretary of the Interior and Kingdom Relations, who was in office during the period under review. The same is true as far as the representative of Sint Maarten is concerned, who reports directly to the Prime Minister of Sint Maarten and who is a former Prime Minister himself. The World Bank is represented by the Country Director for the Caribbean who has authority over the World Bank programme in Sint Maarten and the responsibility of leading the dialogue with Sint Maarten and the Netherlands. The relation between the three members is amicable and constructive and involves many informal consultations between official meetings.

144. Beyond participation in the Steering Committee, the Ministry of BZK follows Trust Fund operations on a day-to-day basis. For the World Bank such close involvement of a donor is unusual, as in similar other Trust Funds it is considered that the Bank is “entrusted” with responsibilities allowing it to entertain a high degree of autonomy. In the face of the Netherlands' need for detailed information due to its high level of involvement in Sint Maarten, the World Bank offered to provide the Regular Monitoring Reports every two weeks, a rhythm that has recently been brought down to every six weeks. The Ministry charges a programme support cost to the overall budget of EUR 550.0 million (EUR 8.0 million). It is obvious that this close contact represents a considerable transaction cost in addition to costs incurred for Trust Fund administration by the World Bank and Sint Maarten itself.

3.3.8. Direct support¹⁷²

145. As shown in Table 2 in section 2.1., the original budget of EUR 80.0 million for direct support covered liquidity support to Sint Maarten for the year 2017 amounting to EUR 22.8 million and programme support cost for the Ministry of BZK in the amount of EUR 8.0 million. A further EUR 7.0 million were allocated to early recovery activities in 2018, of which EUR 6.8 million were disbursed. The net amount available for direct support was hence EUR 42.4 million.

146. Table 14 contains an overview of direct support activities as pieced together from financial overviews of the Ministry of BZK and available documentation on specific activities and groups of activities. There was no coherent plan or results-based management (RBM) framework. It was initially broadly intended to fund the implementation of conditionalities that the Netherlands had originally defined for the overall reconstruction budget of EUR 550.0 million: a) strengthening of border control; and b) establishment of the Integrity Chamber. Border control eventually remained a major focus area of direct support, whereas the Integrity Chamber was funded from another budget article of the Kingdom Relations Budget in the end.

147. Direct support activities included a variety of project activities that were approved and implemented on an ad-hoc basis responding to needs expressed by the Sint Maarten Government and / or by the Netherlands. They are summarized in table 14. Activities include delivery of equipment, training, and other forms of technical assistance, e.g., advisory services, legal support, and technical studies. They can be grouped together as follows: a) border control (immigration, customs, coast guard, the Sint Maarten Police Force KPSM); b) public law and order (KPSM, public prosecutor, detention centre / crime fund); c) public social services (ambulance services, fire brigade, and light masts for sports fields); and d) bilaterally implemented support to World Bank executed Trust Fund activities. Direct support also included supplementary funding to the Representation of the Netherlands in Sint Maarten (VNACS¹⁷³) and expenditure related to the present policy review. The latter two remain outside the purview of this report.

¹⁷² Activities such as liquidity support (under Article 8) as well as activities financed under other budget lines, e.g., the Integrity Chamber and recent Covid-19 related activities (COHO) are briefly described in partial study II, although they fall outside the purview of this policy review. They are not included in this synthesis report. Reference is made to partial study II.

¹⁷³ *Vertegenwoordiging van Nederland in Aruba, Curaçao en Sint Maarten.*

Table 14: Overview of disbursements and results achieved for direct support activities in Sint Maarten¹⁷⁴

Category	Recipient	Approval / reservation	Total disbursements EUR	Results achieved
Border control	Cooperating services under Mutual Agreement ORVG ¹⁷⁵	2018-2021	16.392.000 ¹⁷⁶	• Operationalisation of the Mutual Agreement ORVG with lead role for Royal Marechaussee and the Netherlands Customs Administration; • Expansion of the existing consultation mechanism between the Public Prosecutor, KPSM, Customs of Sint Maarten and Coast Guard (<i>Vierhoeksoverleg</i>) with Royal Marechaussee and the Immigration Department (<i>Toelatingsorganisatie</i>); • Strengthening of capacities of Sint Maarten staff through additional human resources, training, twinning and joint operations; • Successful equipment of respective services with vehicles, computers, scans, radars etc. • Improved monitoring of inward and outward movements at all borders; • Increase in sanctions against illegal migration and imports and exports of goods; • General improvement in information management; • Improved cooperation with French partners.
Public law and order	Public Prosecutor	2018	250.000	• Digitalisation of the Public Prosecutor's Office in Sint Maarten.
	Ministry of Justice: KPSM	2018	626.000	• Command centre, vehicles, uniforms; • Technical assistance.
	Ministry of Justice: Detention / Crime Fund	2019	300.000	• Partition wall repairs.
	Ministry of Justice: Detention / Crime Fund	2021	131.750	• Technical assistance to the management and training of staff; • Repair of electronic devices.
	Ministry of Justice: Detention / Crime Fund	2021	200.000	• Contribution to construction works to be implemented with involvement of the United Nations Office for Project Services (UNOPS).

¹⁷⁴ Ministry of BZK, financial data reported on 12 January 2022. Disbursements under direct support activities were in principle to be made before 31 December 2021, but it was decided that expenditures could be accounted for even in 2022 and 2023.

¹⁷⁵ *Onderlinge Regeling Grensoezicht van Sint Maarten en Nederland (ORVG) als bedoeld in art. 38, eerste lid Koninkrijksstatuut.*

¹⁷⁶ EUR 7.092.000 to KPSM + EUR 2.556.000 to Customs Sint Maarten + EUR 2.004.000 to Customs Netherlands + EUR 4.740.000 to Coast Guard Netherlands. Approximately EUR 1.0 million not spent by KPSM / Customs Sint Maarten to be returned to the budget.

Support to Trust Fund activities	Lawyers (Airport legal fees)	2019-2020	657.552	• Related to Airport Terminal Reconstruction Project¹⁷⁷.
	Schiphol Group Netherlands (Airport technical assistance)	2019-2021	1.642.744	• Related to Airport Terminal Reconstruction Project¹⁷⁸.
	Ministry of VROMI	2021-2022	2.500.000	• Purchase of a storm water pump in 2021-2022.
	Ambulance services	2021-2022	478.923	• Training of ambulance staff.
	Fire brigade	2021-2022	701.908	• Purchase of a submersible pump (<i>dompelpomp</i>)
	NRPB	2021-2022	32.931	• Hiring of high-level focal point in Sint Maarten Government for resettlement.
	Debris Management	2021-2022	730.824	• Technical assistance to waste sector reform.
Other activities	Fire Brigade	2018	33.213	• Equipment provided by Institute for Public Safety (IFV / IPV).
	Ministry of VROMI	2018	6.775	• Quick scan debris¹⁷⁹.
	VNG-I (Technical assistance VROMI)	2019	284.366	• VNG-I technical assistance to Ministry of VROMI. • Improved capacities in the Permits Department in handling the backlog in permits requests; • A strengthened organisation of the Department of Domain Affairs to deal with complex requests of long lease and collection of fees; • Improved expertise within the Inspections Department for carrying out inspection requests; • General inspection in the context of the building ordinance and environmental norms; • Improved resilience of the organisational performance by the Ministry of VROMI¹⁸⁰.
	Ministry of Sports / NOC*-NSF	2019	62.000	• Lighting of sport fields under National Sports Institute.

¹⁷⁷ No reporting available due to confidentiality between client and lawyers.

¹⁷⁸ Reporting available.

¹⁷⁹ No information available.

¹⁸⁰ VNG-International August 2019, Technical Assistance to Sint Maarten, Support to the Ministry of VROMI.

	IMF-CARTAC	2020	2.000.000	• Macro-economic assessment of the economy of Sint Maarten as required for liquidity support under Article 8.
Total			27.030.986	

N.B. Not considered in this table: a) Allocations / disbursements / expenditure for emergency assistance in 2017 and early recovery in 2018; b) Liquidity support in 2017 (see section 8); c) reimbursed bridging loan to Sint Maarten Government / PJIA in 2018; d) Releases of tranches to the World Bank Trust Fund; e) Allocations / disbursements / expenditures for the Representation of the Netherlands (VNACS); f) Programme support cost of the Ministry of BZK; g) Allocations / disbursements for this policy review.

148. The overall direct support budget was initially not mapped out in a coherent approach plan. Beyond a provision for liquidity support to Sint Maarten for the year 2017, the budget was a convenient all-purpose reserve for the Ministry of BZK to be tapped into as needs arose. Major unplanned needs were the financing of legal fees and technical assistance related to the airport reconstruction as well as for debris management studies, both focus areas already covered by the Trust Fund. The budget was destined to cover activities that could not be funded through the Trust Fund, e.g. some investments for public social services. Disbursements accelerated in 2020-2021, when the deadline of 31 December 2021 for disbursements by the Ministry of BZK was looming. Significant amounts of money were disbursed in 2020-2021, e.g., for support to the Ministry of VROMI, the fire brigade, ambulance services and other social services. One major investment, a contribution of EUR 2.0 million for IMF-CARTAC¹⁸¹, seems to be justified as an expense related to reconstruction needs in the wake of Hurricane Irma primarily in the context of liquidity support.

149. Direct support activities were not designed with a results-based management approach. They have also rather inadequately been reported on. As much as the Ministry of BZK appreciated frequent and detailed reporting on Trust Fund activities by the World Bank, it seems to have been relatively lenient in its reporting requirements vis-à-vis other implementing partners, e.g., the border control cooperating services (ORVG¹⁸²), the KPSM for activities outside border control, lawyers and Schiphol Group Netherlands, and the VNG-International. The problem is compounded by the inadequate data- and document filing system in the Ministry of BZK. To the extent that reports could be found, they contain very little useful information on outputs, outcomes and impact. This makes an adequate assessment of effectiveness and efficiency impossible (see also conclusions 2 and 5 as well as recommendations 2 and 4).

4. Overall conclusions and recommendations¹⁸³

Conclusion 1: In the aftermath of Hurricane Irma (shortly followed by Hurricanes Jose and Maria), the Government of the Netherlands responded by making significant resources available for emergency assistance and support to reconstruction to all three Windward Islands of the Kingdom. Part of these resources were drawn from the Budget of Kingdom Relations under Article 8 and administered by the Ministry of BZK.

¹⁸¹ According to the Ministry of BZK, the rationale of this disbursement from article 8 was that good macro-economic management had been a condition for liquidity support and that involvement of IMF-CARTAC was useful in this context.

¹⁸² *Onderlinge Regeling Grenstoezicht van Sint Maarten en Nederland.*

¹⁸³ Conclusions and recommendations in this synthesis report are derived from those contained in partial studies I / III and II. In some cases, they have been synthesized, rephrased and renumbered. For details reference is made to the partial studies.

150. The Government of the Netherlands was quick to recognise the scale of the havoc wreaked especially by Hurricane Irma in Sint Maarten and to a lesser extent in Saba and Sint Eustatius. It recognized the fact that immediate action was required. Therefore, the Netherlands Government started to provide assistance shortly after the disaster occurred. The initial humanitarian assistance and subsequent support to reconstruction were generous, demonstrating concern for and engagement with the people of the islands.

151. Financial resources for emergency assistance and reconstruction on all three islands were to be drawn principally from the Budget of Kingdom Relations administered by the Ministry of BZK. Amounts were allocated under Article 8 of this Budget: a maximum of EUR 55.0 million for emergency assistance on all three islands; a maximum of EUR 18.0 million for reconstruction in Saba and Sint Eustatius; and a maximum of EUR 550.0 million for reconstruction in Sint Maarten. In addition, resources were made available under other budget lines of the Netherlands Government, e.g., for staffing costs of the Ministry of Defence during the emergency phase, and contributions from various line ministries in the Netherlands for reconstruction efforts (bringing the total of maximum allocations in Saba and Sint Eustatius to EUR 67.0 million).

Conclusion 2: All three islands had existing structures for disaster response developed over decades of experience in dealing with hurricanes, but the magnitude and speed of Hurricane Irma required a response exceeding local capacities. The Netherlands acted swiftly by providing military and civilian assistance and by making financial resources available. The process was initially characterized by some improvisation but improved over time. Experiences made in the process gave way to major lessons learned, resulting, *inter alia*, in the Handbook on Crisis Management for the Caribbean parts of the Netherlands¹⁸⁴ published in 2020.

152. The magnitude and speed especially of Hurricane Irma exceeded local capacities in terms of disaster preparedness and emergency response. It became clear that support from the Netherlands to all three islands was indispensable. This was relatively unproblematic in legal terms in Saba and Sint Eustatius, as these islands, along with the island of Bonaire, are public entities (special municipalities) under direct authority and responsibility of the European country the Netherlands.

153. The situation was different in Sint Maarten, which has the status of one of the autonomous countries within the Kingdom along with Aruba, Curaçao and the Netherlands¹⁸⁵. Under the Charter of the Kingdom, Sint Maarten is responsible for its national response to disasters itself. However, the political leadership of Sint Maarten being formally in charge of ensuring public safety and security as well as coordinating relief to the population with a clean-up, with shelters and functional public utilities, *inter alia*, proved not to be fully operational at that time. Requests for military assistance were made by the Governor of Sint Maarten in a timely fashion (see 3.1.1.). Over time, Sint Maarten also addressed the necessary requests to the Netherlands for civilian emergency assistance. In line with the provision under Article 36 of the Charter, the Netherlands stepped in and provided comprehensive support and assistance.

154. As from 2018, the Government of the Netherlands took a variety of measures to improve on its disaster response capacity on the basis of lessons learned during the post-Irma crisis (see section 3.1.7.). The Handbook on crisis management for the Caribbean parts of the Kingdom published in June 2020¹⁸⁶ draws lessons from the post-hurricane experiences in 2017 and seeks to clarify roles and procedures of different ministries in the Netherlands and other partners in case the European Netherlands is requested to intervene in disaster management in the Caribbean. The handbook does not discuss disaster preparedness and response on the islands, as this is considered part of local responsibilities in Sint Eustatius and Saba and a national responsibility in

¹⁸⁴ Ministerie van Justitie & Veiligheid & Ministerie van BZK (juni 2020), *Handboek Crisisbeheersing voor de Caribische delen van het Koninkrijk*, Den Haag.

¹⁸⁵ Charter of the Kingdom of the Netherlands, 10 October 2010, <https://wetten.overheid.nl/BWBR0002154/2017-11-17>.

¹⁸⁶ Ministerie van Justitie & Veiligheid & Ministerie van BZK (juni 2020), *Handboek Crisisbeheersing voor de Caribische delen van het Koninkrijk*, Den Haag.

the case of Sint Maarten. It is understood that procedures defined in the handbook need to be tested and disseminated in practice. Since 2020, this has been done in joint disaster drills (*HUREX*¹⁸⁷), during which different parties to be called upon can familiarize themselves with what is expected from them.

Conclusion 3: The Ministry of BZK had to assume responsibilities of coordinating humanitarian relief and providing support to reconstruction, for which it was not sufficiently prepared. The Ministry had traditionally been geared towards operating in line with its more administrative mandates related to governance. It nevertheless performed relatively well under the circumstances in assuming the new responsibilities.

155. On the Dutch side it was initially necessary to clarify which ministry would be responsible to coordinate the relief effort¹⁸⁸. In the event of a disaster or crisis in the Netherlands, the Ministry of Justice and Security usually is mandated to take the lead. This applies to both the European Netherlands and the Caribbean Netherlands (Bonaire, Saba and Sint Eustatius). In the case of Irma, the Ministry of Defence, already present in the Caribbean, took the lead in the emergency response as requested by the authorities of all three islands. It quickly became obvious, however, that the Ministry of BZK would have to take on the coordination of the relief effort.

156. The evaluation by the Ministry of BZK of its own role shows that it was underprepared for this role and therefore had to improvise at least initially¹⁸⁹. The Ministry did not have enough staff with experience with humanitarian disasters, in the Caribbean or elsewhere. The Ministry nevertheless succeeded in quickly gearing up for the novel challenge. Within two days after the disaster, a director general was appointed to take charge of reconstruction in the Windward Islands and a civil mission was deployed in Sint Maarten. Shortly afterwards, a crisis team was also set up in The Hague. The Ministry of BZK also quickly mobilized existing national structures in the Netherlands that usually respond to crisis situations¹⁹⁰. These were, however, also mainly geared towards managing crises in the European part of the country and not to respond to crises in the Caribbean.

157. The Ministry of BZK also met with challenges when attempting to coordinate reconstruction efforts in Saba and Sint Eustatius, as island authorities tended to communicate with Dutch line ministries directly and not through the Ministry of BZK. In Sint Maarten, once the decision had been made to support reconstruction efforts through a World Bank executed Trust Fund, the Ministry of BZK had to familiarize itself with the *modus operandi* of this international organisation and thereby initially underestimated challenges and timelines involved. The Ministry did, however, go through a considerable learning curve between 2017 and 2021 leading to the positive results mentioned below (see conclusions 17 and 18).

Conclusion 4: There is insufficient clarity as to modalities how to implement Article 36 of the Charter of the Kingdom which stipulates that countries that are part of the Kingdom (the Netherlands, Aruba, Curaçao and Sint Maarten) provide each other with assistance and support. It is commonly understood that there should be requests for such assistance and that there is no obligation to comply with such requests¹⁹¹.

158. At the beginning of the emergency phase, there was lack of clarity and mutual understanding between the Governments of Sint Maarten and the Netherlands, to what extent and in what ways the Netherlands would provide humanitarian assistance beyond military support and offer support to reconstruction. This even led to a political crisis in Sint Maarten culminating in the resignation of the cabinet in November 2017. Formal requests for humanitarian assistance were

¹⁸⁷ Hurricane Exercise (HUREX).

¹⁸⁸ *Instituut Fysieke Veiligheid (2018), Lessen uit crises en mini crises 2017, Arnhem/ Zoetermeer.*

¹⁸⁹ *Ministerie van BZK (mei 2018), Sint Maarten, Irma en BZK: evaluatie crisisbeheer ministerie van Binnenlandse Zaken.*

¹⁹⁰ E.g., The Ministerial Committee on Crisis Management (MCCB) and the Interdepartmental Committee on Crisis Management (ICCB).

¹⁹¹ The principle that assistance should be provided only based on formal requests also applies to the special municipalities of Saba and Sint Eustatius, but there was some confusion how this principle was to be applied.

eventually formulated, but in many cases this happened belatedly. The situation is less clear in the case of early recovery projects, which were apparently mainly conceived in consultation between the Ministry of BZK and the civil mission in Sint Maarten. The very major package in the amount of EUR 550.0 million for reconstruction that was offered to Sint Maarten was clearly driven by political decision-making in the Netherlands.

Conclusion 5: Emergency assistance and reconstruction support provided under Article 8 were not sufficiently based on adequate needs assessments. Financial envelopes were political decisions. Except for the National Recovery and Resilience Plan (NRRP) drawn up with assistance from the World Bank, there were no comprehensive and detailed reconstruction plans applying results-based management principles, i.e., spelling out goals and objectives, required inputs, and expected outputs, outcomes, and impact of reconstruction efforts and allowing for monitoring and evaluation.

159. Needs assessments undertaken during the emergency phase and in preparation of reconstruction efforts were quick and relatively unspecific. Article 8 was correspondingly succinct in spelling out goals and objectives, expected impact, outcomes and inputs of reconstruction efforts. This can be less expected for emergency assistance given the urgent need to respond to needs of the population on the ground but seems to be indispensable for medium- and longer-term reconstruction efforts. The National Recovery and Resilience Plan (NRRP) drawn up in Sint Maarten in 2018 with assistance provided by the World Bank was a good example of what needed to be done.

Conclusion 6: The Ministry of BZK demonstrates weaknesses in its documentation of emergency assistance, early recovery and direct support activities.

160. There are considerable shortcomings in the institutional memory of the Ministry of BZK. Activities funded under Article 8 are generally not well documented. In financial overviews, labelling of disbursements is not sufficiently consistent and systematic and ex-post corrections (due to exchange rate calculations or corrections of mistakes) are not systematically related to the respective budget lines.

161. One would also expect that specific disbursements can be more easily linked to underlying administrative decisions and contractual agreements with implementing organisations, as well as narrative reporting related to the agreements. Implementing partners are not required to report in more than rather generic terms. It is also cumbersome to trace documents in Digidoc, which is the filing system of the Ministry¹⁹². In this context, it should be mentioned that the World Bank more than adequately reports on results achieved and challenges met on the way.

Recommendation 1: In preparation of hurricanes or other disasters that may occur in the future, the Ministry of BZK should further strengthen its capacities in assisting the islands in strengthening emergency preparedness, drawing up post disaster needs assessments and developing relief and reconstruction plans. If requested, the Ministry of BZK should provide capacity development in this regard to the islands well before future disasters. Within the Ministry of BZK this may involve staff (re-) training and / or attracting more staff with these competencies. The recent Handbook on Crisis Management for the Caribbean parts of the Netherlands¹⁹³ may have to be periodically revisited. Results-based management principles should be applied, i.e., spelling out goals and objectives, expected impact, outcomes and outputs as well as required inputs for reconstruction efforts and allowing for monitoring and evaluation¹⁹⁴.

¹⁹² For this policy review, an inordinate amount of time (a full year) was spent to trace documents in financial archives and in Digidoc.

¹⁹³ Ministerie van Justitie & Veiligheid & Ministerie van BZK (juni 2020), *Handboek Crisisbeheersing voor de Caribische delen van het Koninkrijk*, Den Haag.

¹⁹⁴ Guidance can be found in OECD – DAC Results-based approaches <https://www.oecd.org/dac/results-development/results-based-approaches/>, website consulted on 26 September 2022.

Recommendation 2: To be better prepared in the future – and to allow for quicker action in potential crises – the meaning and interpretation of Article 36 of the Charter should be carefully discussed within the Kingdom. This could result in better agreements between the various countries within the Kingdom regarding the preparation, submission and processing of requests for assistance and timeliness and appropriateness of the process. A similar streamlining of how to submit and respond to requests in the cases of Sint Eustatius and Saba (and possibly Bonaire) should be explored.

Recommendation 3: To address shortcomings found in data and document storage systems of the Ministry of BZK, it is recommended that the Ministry of BZK improves its financial data processing and its document storage system Digidoc with a view to enhance accountability for its disbursements. Specific guidelines and procedures should be developed in this regard and staff may have to be trained for this purpose.

5. Conclusions and recommendations concerning the emergency response

Conclusion 7: The Ministry of BZK acted swiftly and unbureaucratically by adopting a modified waiver procedure for emergency assistance requests from other ministries and implementing partners. This worked well in practice and ensured an appropriately fast and flexible approach to respond to needs on the ground. The downside of this pragmatic approach was a highly fragmented and sometimes incomplete documentation of decision-making involved.

162. Under normal circumstances, public services in the Netherlands must adhere to the rules of the Public Procurement Act¹⁹⁵. One of the aims of the Procurement Act is to stimulate competition between companies and to ensure value for taxpayers' money. Regular application of the procurement rules would have meant unacceptable delays in providing necessary emergency assistance.

163. This was avoided due to the (temporary) adjustment of the tendering procedures. The modified procurement procedure consisted of a special waiver allowing the other ministries to proceed with expenditures once needs were identified (and in principle requests had been received especially from Sint Maarten). Expenditures would be reimbursed by the Ministry of BZK ex-post with a simple record of the purchase and justification of the expenditure.

164. Executing parties were satisfied with the workability of the adjusted and flexible procurement procedures, which meant that action could be taken faster and more flexibly. The downside was that the documentation regarding decision-making processes (notably the rationale of choices made) was highly fragmented and often incomplete.

Conclusion 8: The help and support provided during the emergency response phase was effective in the sense that almost all requests for assistance were met and that the most urgent needs of the population of the three islands were met.

165. Emergency assistance under Article 8 was effective to the extent that almost all requests for assistance could be met and that these requests reflected the most urgent needs of the population of the three islands. In this context it is important to note that the damage was mostly physical, that there were no outbreaks of diseases despite the damage to crucial facilities, and that food shortages and similar calamities did not occur after the disaster. Moreover, shortly after the emergency assistance phase, preparation could begin for further repair and reconstruction work on all three islands.

¹⁹⁵ Aanbestedingswet 2012, <https://www.pianoo.nl/en/public-procurement-netherlands>, website consulted on 26 September 2022.

Conclusion 9: The emergency assistance was efficient in terms of timeliness, but it could have benefitted from a more streamlined process, linking damage assessments, requests for assistance and processing of requests more clearly. Due to the simplified tender procedures, it cannot be verified whether expenditures were fully justified in terms of volume / use and price / tariff components.

166. The need to base emergency assistance on requests from the islands created some distance between those identifying needs, those describing and interpreting them, those procuring supplies, and finally those in charge of providing them to beneficiaries. The communication between these parties needs to be clear and timely, particularly when dealing with shipments requiring weeks to arrive. Technical expertise on all sides (or lack thereof) also plays a role. Given the need to act quickly, it can be assumed that the lowest cost was not the most important selection criterion, but rather the timely availability of the necessary goods and services.

167. This goal was by and large achieved. The larger portion of the initial budget of EUR 55.0 million, i.e. 40.5 million, was disbursed. In this context it should be mentioned that the initial budget was based on a quick and rough estimate with the underlying political expectation that there should not be a shortage of funds. According to the Regulation on Periodic Policy Reviews (RPE)¹⁹⁶, policy options should be assessed under scenarios of 20 % less funding (saving) or 20 % more funding (spending increase). In the first place, it should be noted that actual disbursements at EUR 40.5 million represent a saving of more than 20 % as compared to the initial reservation. One could have decided that even less was to be spent on emergency assistance, as the provision in the Charter of the Kingdom under Article 36 does not imply an obligation on the side of the Netherlands to respond to all requests for assistance. In practical terms fewer requests for assistance would in this case have been approved. Had a 20 % larger budget been made available, more could have been done on all islands under the emergency assistance phase.

Recommendation 4: As part of its mandate related to Kingdom Relations, the Ministry of BZK should exercise substantive leadership in terms of humanitarian action and assume a possible coordinating role in supra-island post-disaster emergency assistance. In the Caribbean part of the Netherlands this should happen taking into account legislation governing the national crisis structure and without affecting the system responsibility of the Ministry of Justice and Security in the European Netherlands and in the Caribbean Netherlands. In the case of Sint Maarten, Aruba and Curaçao, any assistance to a national disaster response should be based on requests under Article 36 of the Charter.

Recommendation 5: As swift action is essential in emergency responses, the Ministry of BZK and the Ministry of Justice and Security, in consultation with the islands and other ministries and partners in the Netherlands¹⁹⁷, may wish to further develop and adapt procedural guidelines outlining how different actors in the Caribbean should coordinate among each other in disasters exceeding local capacities. The guidelines should build on the recent Handbook on Crisis Management for the Caribbean parts of the Netherlands¹⁹⁸ and draw lessons from its practical application.

Recommendation 6: Procedural guidelines mentioned in recommendation 5 should include appropriate adaptations of the Public Procurement Act to apply to emergency situations allowing for waiver procedures and other measures to speed up responses, while nevertheless ensuring adequate safeguards for maximum transparency and accountability.

¹⁹⁶ See section 1.2. and also question 15 b) in the Letter to Parliament of 21 September 2020.

¹⁹⁷ Other partners include for example the Netherlands Red Cross, which by Royal Decree has an important role to play in disaster management.

¹⁹⁸ Ministerie van Justitie & Veiligheid & Ministerie van BZK (juni 2020), *Handboek Crisisbeheersing voor de Caribische delen van het Koninkrijk*, Den Haag.

6. Conclusions and recommendations concerning reconstruction in Sint Eustatius and Saba

Conclusion 10: Funding under Article 8 amounting to EUR 20.4 million (in terms of disbursements) represented only 30 % of the overall envelope made available by the Government of the Netherlands to reconstruction in Saba and Sint Eustatius totalling EUR 67.9 million. 57 % of Article 8 funding (EUR 11.6 million) was spent on the stabilization of the cliff on which the national treasure Fort Oranje in Sint Eustatius is located.

168. As public entities that are part of the Netherlands, Saba and Sint Eustatius entertain direct relationships with line ministries in The Hague. Several ministries made resources available for reconstruction on these islands. The contribution from Article 8 of the Budget of the Kingdom represented less than a third of the overall envelope (EUR 67.9 million). Actual disbursements under Article 8 (EUR 20.4 million) exceeded the initial budget (EUR 18.0 million) mainly because of an upward adjustment to the funding of the stabilization of the cliff on Sint Eustatius.

169. Spending on the cliff (EUR 11.6 million in terms of disbursements) represented well over half of total spending under Article 8. While the hurricanes significantly worsened the situation, the natural structure supporting the national treasure Fort Oranje had already been in a precarious state well before the hurricane. Works have been completed and the expectation is that the structure has a better chance of withstanding future hurricanes.

Conclusion 11: Article 8 reconstruction activities in Saba and Sint Eustatius were effective, as houses and public spaces were repaired, nature was restored, the cliff was stabilized, and the sea cable was made more robust. Building Back Better principles were applied and some of the infrastructure is in a better condition than before the hurricanes.

170. Available evidence suggests that Article 8 funding was well spent to the extent that it was used for purposes reflecting stated needs expressed by the island authorities through their requests. It is, however, not possible in all cases, to match activities to requests, to understand selection criteria for projects, and to attribute results specifically to Article 8 funding. Island authorities and all ministries seem to have pursued Building Back Better objectives, as much of the infrastructure is now in a better state than before the hurricanes and also more disaster resistant. The stabilization of the cliff is a good example of how this endeavour was successful.

Conclusion 12: Reconstruction activities in Saba and Sint Eustatius were efficient in the sense that targeted results were achieved, timelines were respected, and costs incurred remained reasonable considering the small island context. The communication between the islands and the European part of the Netherlands was not optimal and did not allow for sufficient accountability.

171. For reasons stated before (see section 3.2.5.) the assessment of efficiency of reconstruction activities in Saba and Sint Eustatius is difficult, because expected benefits were not clearly defined, there were no calculations of economic rates of return, neither at the outset nor in the reporting. The cost / benefit ratio of specific Article 8 funded projects needs to be considered against the background of investments made by other line ministries.

172. In the case of Saba and Sint Eustatius, requests for assistance should be formally submitted to the Representative of the Kingdom based in Bonaire. This provision was particularly difficult to implement during the initial days after disaster struck. Island authorities communicated directly with line ministries in the Netherlands, also bypassing the Ministry of BZK. This resulted in lack of coordination and post-aid transparency.

173. In general, all building activities are relatively expensive on small and remote islands. Smaller projects were implemented by local contractors at local conditions, in some cases with contributions made by the population. Larger projects, e.g., reconstruction of the cliff in Sint Eustatius and restoration of the sea cable, were internationally tendered and respective rules were respected as confirmed by independent audits. There are no indications that rules of the Government of the Netherlands relating to volume / use and price / tariff components were not followed.

174. The question what would have happened under scenarios of 20 % less funding (saving) or 20 % more funding (spending increase) is relatively easy to answer in the case of Saba and Sint Eustatius. If 20 % less funding had been made available under Article 8, the bill would probably have been picked up by the budgets of other ministries. If the overall budget had been 20 % less, this would have resulted in less repairs being implemented and / or Building Back Better targets would have been less ambitious with lower hurricane resilience as a consequence. On the other hand, if 20 % more funding had been available, Building Back Better targets could perhaps have been more ambitious going beyond repairing damages incurred during the 2017 hurricanes. A possible negative side effect could have been that too much funding might have exceeded the small islands' absorption capacity.

Recommendation 7: In preparation of future post-emergency situations on the islands of Saba and Sint Eustatius (and possibly Bonaire), the Ministry of Justice and Security and the Ministry of BZK, in consultation with island authorities, other ministries and the Representative of the Kingdom in Bonaire, should explore options how to streamline support to reconstruction activities in view to ensure better coordination of activities and improved accountability. The Ministry of BZK should clarify its own role in future post emergency situations. This should be done taking into account experiences made with the practical application of the Handbook.

Recommendation 8: The concept of Building Back Better should be clarified for Saba and Sint Eustatius (and possibly Bonaire), i.e., with more standardized and specific targets and measures for the improvement of physical infrastructure also covering dimensions of resilience against future disasters¹⁹⁹. This should happen in close consultation with island authorities.

7. Conclusions and recommendations concerning reconstruction in Sint Maarten

Conclusion 13: At the outset, the contribution to the reconstruction of Sint Maarten under Article 8 was not based on a request from Sint Maarten. It emanated from a political decision made by the Government of the Netherlands in October 2017 and resulted in the approval of a maximum amount of EUR 550.0 million in November 2017²⁰⁰. The generous offer could have been communicated in a culturally more empathetic and sensitive manner to Sint Maarten, as it was wrapped in conditionalities that primarily reflected long-standing Dutch concerns, at a time, when Sint Maarten still struggled to meet basic humanitarian needs.

175. The Netherlands acted very quickly in developing a longer-term vision as to the provision of support to reconstruction efforts in Sint Maarten. The Minister of BZK addressed a letter to that effect to the Prime Minister of Sint Maarten on 13 October 2017²⁰¹. The letter announced the allocation of a significant financial contribution to the reconstruction of Sint Maarten, provided conditions for proper spending of these resources were in place: a) the establishment of an

¹⁹⁹ A good source of inspiration is the Administration Arrangement between the Netherlands and the World Bank of 16 April 2018, Appendix on Dutch Guiding Principles.

²⁰⁰ In addition to emergency assistance and including early recovery support for which a maximum of EUR 7.0 million could be spent.

²⁰¹ Letter of the Netherlands Minister of the Interior and Kingdom Relations addressed to the Government of Sint Maarten on 13 October 2017.

Integrity Chamber; and b) strengthening of border control. A political decision on the size of the financial envelope to the amount of EUR 550.0 million was made soon after, in November 2017. The offer made by the Netherlands was undoubtedly very generous and based on a deep sense of solidarity with other parts of the Kingdom based on centuries of shared history.

176. A primary concern in the Netherlands was that the Kingdom Charter of 10-10-10 required the other now autonomous countries of Curaçao, Aruba and Sint Maarten to assume their own responsibilities as to their social and economic development. There were misgivings in the Netherlands as to the integrity of the political leadership in Sint Maarten and to its ability to handle such a huge influx of resources in an adequate manner. Too direct involvement of the Netherlands was also deemed undesirable because of the new Charter.

177. As much as this rationale for the conditionalities was understandable and factually correct, the way in which they were conveyed to Sint Maarten was rather abrupt and unempathetic, as may be inferred from a close analysis of the contents of the letter. The letter announcing the generous support could have expressed more sympathy with a people, including its leadership, who at that moment lacked a roof above their heads, and were deprived of the most basic social services and economic infrastructure. As much as the influx of illegal migrants and uncontrolled trafficking with goods were part of the problem, it is doubtful that these concerns were at the top of the mind of political leaders in Sint Maarten at that time. It is therefore not completely surprising that there was a breakdown of constructive communication between the Governments of the Netherlands and Sint Maarten in November 2017. The Sint Maarten cabinet was replaced, and Dutch conditions were met soon after.

Conclusion 14: As entrusting reconstruction funds directly to Sint Maarten and too direct Dutch involvement were not deemed desirable options in the Netherlands, the establishment of a World Bank Trust Fund was a well justified way out. However, neither the Netherlands Ministry of BZK nor the Government of Sint Maarten initially had realistic expectations as to benefits to be derived from Trust Fund execution and challenges associated with this mode of operation.

178. Once the two conditions were met in Sint Maarten for the spending of the EUR 550.0 million, several options were considered for the operationalization of activities. A simple transfer of the funds to Sint Maarten or direct involvement of the Netherlands were quickly discarded, as explained above. Several options for an international organisation to assume the role of a trusted partner for the implementation of the larger part of reconstruction efforts were considered and resulted in the selection of the World Bank.

179. The World Bank presented excellent credentials to be entrusted with the bulk of support to reconstruction efforts. Its reputation was based on projects implemented successfully elsewhere in the Caribbean and in other parts of the world, many of which presented more complex challenges. The Bank had also developed considerable expertise concerning specific issues faced by small island states. No other institution could present a similarly coherent and comprehensive set of skills and organisational strengths for supporting reconstruction efforts.

180. Although supported by the Ministries of Finance and Foreign Affairs, the Ministry of BZK did not have realistic expectations as to the *modus operandi* of the World Bank and when reconstruction activities would be fully operational and how much time would be required to see results on the ground. Advice provided by the Ministries of Finance and Foreign Affairs did not register with the Ministry of BZK. Initial estimates were full operationalization and early results by mid-2018.

Conclusion 15: As the Ministry of BZK was aware of the fact that setting up the Trust Fund would take some time it foresaw a brief early recovery phase the cost of which was not to exceed EUR 7.0 million. Small scale projects responding to most urgent social needs of the population, e.g., school-feeding, house repairs, psychosocial support, and island clean up were quickly implemented, albeit with mixed results. The most successful projects were those implemented by local organisations or as extensions of running programmes.

181. Most of the projects met the goal of getting to a quick start and directly impacting affected populations, though effectiveness and efficiency varied across projects. Most projects did at some stage have to adjust their scope and/or targets, as a result of changing costs or initial costs having been based on assumptions that did not hold. Regardless, most projects can be judged to have been moderately to strongly effective and efficient, with the main exception being those executed under the UNDP programme, which were neither effective nor efficient.

182. Qredits' soft loans, and the housing project of the Sint Maarten Development Foundation (SMDF), built on ongoing activities and allowed organisations to establish realistic goals and meet these within the time period. Similarly, the White Yellow Cross Care Foundation (WYCCF) embedded the training and construction activities into its structure, allowing the organisation to make use of existing relations and networks. The United Nations Development Programme (UNDP), an organisation with less experience on the island, had to significantly adjust its project targets across the programme, after finding out that several of the assumptions made at proposal stage did not hold, as well as encountering tendering issues. The school meals programme of the Netherlands Red Cross (NLRC) can be deemed a success. Other projects such as UNICEF's psychosocial assistance to children and the NLRC's Waste2Work initiative required some adaptation during implementation to be able to meet their output targets.

183. Broadly speaking, the more successful interventions were those that built on ongoing activities and allowed organisations to establish realistic goals and meet these within the time period. Others were able to embed early recovery activities into their existing structures, allowing them to make use of their local relations and networks. Organisations with less experience on the island, had to significantly adjust their project targets across the programme, after finding out that several of the assumptions made at proposal stage did not hold. Local know-how, feet on the ground and established networks proved to be key elements for successful in the quick-win set-up of the early recovery phase.

Conclusion 16: The early recovery phase financed under article 8 was too limited in scope and duration to adequately address pressing social needs of the population in Sint Maarten, e.g., adequate housing, shelters, schools, and psychosocial support²⁰². There was a considerable gap and discontinuity between limited early recovery activities that came to an end in 2018 and start-up of related Trust Fund activities in 2020-2021.

184. Early recovery projects ceased to receive support from Article 8 budgets in mid-2018. The Trust Fund was slow in addressing these needs. The Emergency Recovery Project (ERP-I), though approved in July 2018, started disbursements on social goals as from March 2019 only, albeit on a limited scale, once minimum requirements for World Bank involvement had been met. The Red Cross Roof Repair and the Enterprise Support Projects were approved end of 2019 and became effective in 2020. In both cases, NGOs that had overseen early recovery projects – the Red Cross and Qredits – were not supported from Article 8 for almost two years. The gap was even longer for UNICEF, as the Child Resilience Project was only approved in January 2021. Another project, the Civil Society Partnership Facility for Resilience Project also became effective in 2020.

²⁰² It should be mentioned that between 2017 and 2021, Sint Maarten received substantial funding from the *Nationaal Rampenfonds* (NRF) in the Netherlands (see *Fonds NRF voor wederopbouw na Orkaan Irma, eindrapportage bestedingen*, March 2021 <https://nationaalrampenfonds.nl/media/files/204-21-22-07c-nr-irma.pdf>). Website consulted on 26 September 2022. Total expenditure amounted to USD 7.3 million between November 2017 and 2021. Although the NRF intended to coordinate activities with the Ministry of BZK and the World Bank, there is no evidence that close cooperation materialized.

185. Continuation of the early recovery activities would have served as a useful bridge of support to the population (albeit on a smaller scale and with different standards) while larger more structural national scale programmes of the Trust Fund were prepared. Such Trust Fund programmes could have been prioritized within the shortest possible time after Trust Fund establishment. Benefits from World Bank support would still have accrued only after some time given that its approach was based on systematic and transparent national criteria of eligibility including appropriate evidence to allow for fair distribution of benefits.

Conclusion 17: The World Bank executed Trust Fund has played its role well as a neutral and trusted intermediary for the Government of the Netherlands. In Sint Maarten the Trust Fund modality is sometimes felt to be an extended arm of the Netherlands and compliance with the numerous World Bank guidelines and safeguards is at times seen as an undesirable burden and distraction.

186. From the perspective of the Netherlands Government the Trust Fund has proved to be an effective mechanism ensuring adequate spending of resources and avoidance of too direct confrontations with partners in Sint Maarten. Issues and challenges that arise are resolved at the project level by the World Bank and Sint Maarten in dialogue, and when needed in the tripartite Steering Committee that guides Trust Fund operations. Both the Netherlands and Sint Maarten have had themselves being represented by the same senior officials since the beginning. Both enjoy the trust of their respective political leadership. They have entertained amicable and constructive relations among themselves.

187. The reaction has been more muted in Sint Maarten. While the well-funded contribution to reconstruction is welcomed, the requirements embodied in the Bank's procurement policy and guidelines as well as the Bank's stringent safeguard policy are at times felt to be rather undesirable burdens and distractions. Trust Fund support is sometimes perceived as an extended arm of the Netherlands. With such a heavy external involvement by the Netherlands and the World Bank, Sint Maarten initially experienced difficulties in developing a sense of ownership and leadership in line with what might be expected in an autonomous country in the Kingdom. There are nevertheless indications that Government interest and involvement in Trust Fund projects and its support to these projects have grown considerably at the ministerial and technical levels. However, in general terms, the ambiguity of Kingdom Relations inherent to the 10-10-10 Charter, a built-in contradiction between autonomy on the one hand, but dependence on external support with strings attached, on the other, lies like a thick blanket over Trust Fund relations and operations.

Conclusion 18: Implementation through the Trust Fund has resulted in good achievements on major infrastructure projects, notably the Airport Terminal Reconstruction, the Hospital Resilience, and the Emergency Debris Management Projects. Implementation through the Trust Fund has resulted in reasonable achievements in other projects under implementation since 2018 and 2019, while it is too early to assess results for projects started in 2020 and 2021.

188. At mid-point of the current implementation period for Article 8 funding, the reconstruction of major infrastructure in Sint Maarten shows good achievements or at least results that could realistically be expected. The World Bank has demonstrated great competence on such major projects. Procedural guidelines and safeguards are specifically designed for such projects and have a very beneficial effect. Especially for the Airport and Debris Management projects, they did present challenges for the Government of Sint Maarten and agencies involved in the implementation, as they required new laws and regulations (in the case of debris management) and different management practices. The Sint Maarten Medical Center already worked according to standards that are compatible with World Bank safeguards.

189. In the case of the Airport Terminal Reconstruction, the success has been largely due to good cooperation between the World Bank with both the Netherlands and Sint Maarten. The intervention of the Netherlands was crucial in satisfying the bond holders who held in escrow insurance payments. The Netherlands also played a crucial role in attracting cofinancing on a loan

basis from the European Investment Bank (EIB). The World Bank helped drawing up a financing plan, in which the private company running the airport would be granted loans from the Government of Sint Maarten, matching the EIB loan, on the grant from the Trust Fund, that will allow for the medium-term establishment of a National Disaster Resilience Fund in the medium term. Technical assistance provided by the Schiphol Group Netherlands to financial and technical management seems to be very effective in ensuring operations with fewer managerial issues than in the past. If there are no unexpected technical challenges during the construction of the terminal, the project should be completed in 2023, i.e. well before the end of the Trust Fund.

190. The Debris Management Project is very complex and therefore takes time. Priority was initially given to stabilizing the dump and to extinguishing the fires and preventing new ones. This has had major benefits for public health on the island. The next step of offering the population living on the dump perspectives of resettlement or compensation is time-consuming but is apparently conducted with great care and successfully. More sustainable debris management requires sophisticated studies and major policy changes. Follow-up projects to the present one are currently designed, whereby it cannot be expected that they will be completed by the original end of the Trust Fund in 2025.

191. The most comprehensive project apart from the large infrastructure projects mentioned above has been the ERP-I, which became operational in 2018 already. It was meant to address most urgent needs (housing, shelters, schools, public utilities etc.) as well as to create the institutional setting required for Trust Fund administration in Sint Maarten. The most important outcome of the project was the establishment of the National Recovery Program Bureau (NRPB). In practice, it has served as a laboratory for the introduction of World Bank procedures in Sint Maarten with a relatively limited outreach as compared to the needs in Sint Maarten.

192. The Emergency Income Support and Training Project (EISTP) and Red Cross Roof Repair Project set themselves realistic, yet modest targets as compared to the needs. The EISTP built on an existing initiative in the private sector and provided income support and vocational training to unemployed and underemployed workers. The targets in terms of numbers of people supported exceeded expectations. A second component, the establishment of a modern social registry in the Ministry of Public Health, Social Development and Labor (VSA) started only recently. The Red Cross Roof Repair also largely achieved its target with 182 roofs that could be repaired.

193. Projects started in 2020-2021 include the Enterprise Support Project (ESP), the Resources for Community Resilience Project (R4CR), the Child Resiliency Project and the Digital Transformation Project. The preparation and start-up phases of these projects were lengthy and there was no continuity to projects implemented during the early recovery phase largely by the same implementing agencies. It would be premature to attempt an assessment of their effectiveness at this stage.

Conclusion 19: Direct support has produced good results on border control, while achievements in areas related to public law and order are supported by less evidence. The modality has also served as a flexible resource pool for the Ministry of BZK to address technical assistance and other needs in Sint Maarten on an ad-hoc basis.

194. There is convincing evidence that border control has been considerably strengthened because of direct support funding. This had been a top priority for the Government of the Netherlands since before Hurricane Irma, but it became even more urgent during the post-Irma crisis. Most importantly, the Royal Marechaussee and Netherlands Customs became part of a consultative mechanism, with resulting intensive capacity development directed at the KPSM, Sint Maarten Customs, the Coast Guard and Immigration. Illegal border crossings of people in and out of the country were reduced as well as were smuggling of drugs and weapons, illegal (labour) migration and uncontrolled imports and exports of money and goods. There has been improved practical cooperation with the French side on the island, e.g., in Coast Guard operations, but more formal arrangements have been limited, as this would have to involve decision-making in Paris.

195. Results related to areas of public law and order are less supported by evidence. Digitalisation of the Public Prosecutors Office contributed to improvements in the overall fight against crime. So did support to the KPSM. By contrast, progress in the rehabilitation of the Point Blanche detention centre was initially rather slow, which seems to be largely because this was apparently not considered a priority by Sint Maarten. There are, however, signs that there has been better communication between the Netherlands and Sint Maarten in this regard since 2020.

196. Direct support activities were not mapped out in any detail at the outset and remained a convenient source of funding for various needs outside the Trust Fund that have arisen in recent years. The Netherlands Government could thus grant comprehensive technical assistance to the Ministry of VROMI and to the Airport, including the funding of legal services and support to financial and technical management. More recently, direct support funding has also been used for activities related to debris management outside the Trust Fund. Direct support to debris management and the Airport complement respective Trust Fund activities and significantly contribute to their success.

Conclusion 20: The ambitious and complex political agenda of Building Back Better has received adequate attention under Article 8 funding, but it is still too soon to assess its effectiveness in all its dimensions.

197. Building Back Better has been a political agenda especially in the Netherlands. It was included in an Appendix to the Administration Arrangement concluded with the World Bank. It implicitly also guided direct support activities. Although the Appendix is non-binding, it largely converges with reconstruction goals of the World Bank not only for this Trust Fund. The agenda encompasses three dimensions: a) material reconstruction of buildings and other physical infrastructure to hurricane 5 resistant standards; b) improved disaster management capacity and disaster preparedness; and c) a broad agenda of good governance, strengthening of civil society, economic diversification and policies aiming at sustainable development in pursuit of social and environmental goals.

198. Elements of Building Back Better were incorporated in the strategic focus areas of the Trust Fund and, albeit more implicitly, in direct support activities. Major infrastructure projects, such as rehabilitation of the airport and medical centre as well as debris management, are executed with hurricane 5 resistance as a goal to the greatest possible extent. Such a standard is more difficult to meet with home repairs, rehabilitation or rebuilding of shelters and schools and other social infrastructure. In these works, one is faced with a huge dilemma between the urgency of necessary interventions and the aim to offer the highest quality of constructions.

199. Improved disaster preparedness and management is exemplified by the promotion of the Caribbean Catastrophe Risk Insurance Facility (CCIRF) insurance and membership in the Caribbean Disaster Emergency Management Agency (CDEMA) under ERP-I. The medium-/long-term perspective of the establishment of a National Disaster Fund with reimbursements by Princess Juliana International Airport (PJIA) to the Government of Sint Maarten opens the possibility of self-sustaining disaster management. Direct support activities also clearly aim at strengthening disaster preparedness with equipment for the Ministry of VROMI and the fire brigade, digitalization of the Public Prosecutor's Office and a much-improved detention centre (cf. report on part II).

200. In terms of the realization of broad goals like good governance, economic diversification and sustainable social and economic development, there are encouraging partial results, but by and large it is too soon to conclude on the achievement of these high goals in a comprehensive manner.

Conclusion 21: The huge volume of funding under Article 8 in combination with strong roles exercised by the Trust Fund and the Netherlands, have unexpected side-effects in Sint Maarten which cannot yet be fully assessed.

201. The insistence on good governance, on adequate procurement rules and social and environmental safeguards by the Trust Fund and the Netherlands has had the positive side-effect that capacities of managerial and technical staff in Sint Maarten have been improved, e.g., in the NRPB, in line Ministries and in NGOs. The newly acquired skills can be used not only in current jobs, but also in future employment situations. It is too early to measure these positive side-effects in a comprehensive way.

202. Some features of the Trust Fund and involvement of the Netherlands may have had less desirable side-effects, the full extent of which can also not be assessed at this stage. One side-effect has been that the application of high standards of scrutiny in the financial management, procurement, and safeguards areas have placed heavy administrative and procedural burdens on Sint Maarten. Such burdens may have been disproportionate to the island's size and capacity. Another is that, at least in the short run, the intensive demand for building materials and construction workers drives up prices and has an inflationary effect. Finally, demanding administrative procedures and the need to comply with guidelines may paralyze or at least slow down progress both in government and even more so in NGO and CSO action. Stakeholders in Sint Maarten may have been initially prevented from developing a sense of ownership and leadership because of too heavy-handed external management.

203. According to some stakeholders in Sint Maarten, Trust Fund priorities could also crowd out other development challenges, e.g., non-addressed dimensions of climate change mitigation, freshwater and wastewater management, the road infrastructure and public transport etc. While post-Irma reconstruction (and currently support to Covid-19 related funding needs) have been the most important issues that needed to be addressed, the Government of Sint Maarten would normally have to weigh their relative importance in a broader context and define its own political priorities with a long-term vision. This will become more important, as post-Irma effects (and possibly also Covid-19 requirements) recede over time.

Conclusion 22: The question whether results of Trust Fund projects were achieved at a justifiable cost cannot be answered, as there is insufficient insight into Trust Fund operations. High accountancy standards as well as ambitious Building Back Better goals do entail a higher cost than what would have been observed if these projects had not been implemented under the Trust Fund. The World Bank and main implementing partners of direct support can be trusted to apply highest accountancy standards, fight corruption, and ensure best possible spending in terms of volumes / use and standards / prices.

204. A key concern of the Government of the Netherlands has been that Article 8 resources stemming from Dutch taxpayers' contributions are well spent in an environment that has been prone to various forms of corruption and insufficient public governance and budget control. The World Bank's strict procurement guidelines and social and environmental safeguards offer the best possible guarantees that these high standards are respected.

205. Similarly, agencies in charge of border control and maintaining public law and order (police force, customs, coast guard, public prosecutor) may be assumed to be free of corruption or at least have adequate mechanisms in place to detect any wrongdoing. The same holds true for institutions involved in various forms of legal and technical assistance, e.g., the international lawyers and Schiphol Group Netherlands supporting airport management, as well as NGOs involved in Trust Fund projects and other forms of technical assistance.

206. Due to the single audit principle under World Bank policies, external partners are precluded from assessing the efficiency of World Bank executed Trust Fund operations. This policy review also had no access to World Bank audits. It is therefore beyond the remit of this policy review to evaluate the efficiency of the Trust Fund projects. A few tentative remarks may nevertheless be made.

207. The World Bank contends that all Trust Fund projects are assessed on an economic rate of return basis. Given the single audit principle agreed upon by all parties, including the Netherlands,

these data cannot be externally verified. While the cost / benefit ratio is likely to be adequate as far as the large infrastructure projects (airport, hospital, debris management), this may be less true for smaller social projects (EISTP²⁰³, Red Cross Roof Repair, ESP²⁰⁴, R4CR²⁰⁵, Child Resilience²⁰⁶). It has taken a long time to prepare these projects, get them approved and start operations. Had the organisations selected for their implementation been allowed to pursue their operations started during the early recovery phase under the direct support modality of the Ministry of BZK, this would surely have sped up the process and pressing needs of the population in terms of housing, shelters, schools etc. would have been responded to more expeditiously. However, the scale of operations would have been at a much lower level and Sint Maarten would not have benefitted from the much more comprehensive World Bank approach.

208. The propriety of purchases in terms of volumes, prices and utility could ultimately only be determined, if a full-fledged audit on operations by chartered accountants were available. The World Bank has its own internal procedures in this regard which are however not publicly accessible. Direct support activities have been audited on various occasions by the Netherlands Court of Audit (*Algemene Rekenkamer*) in the Netherlands, whereby no improprieties were found²⁰⁷.

Conclusion 23: To the extent that projects under the direct support modality are sufficiently documented, costs and benefits can be said to have been in balance.

209. Most activities under direct support present difficulties to assess their efficiency. This is partly due to the paucity of traceable reporting. However, results can be demonstrated for the areas of border control and public law and order. By contrast, it is harder to demonstrate specific effects of legal services and technical assistance for the airport and of studies on debris management, as they are part of a more complex set of measures under the Trust Fund. Finally, several activities were approved in 2021 only and do not warrant an assessment as to their effectiveness and efficiency yet.

Conclusion 24: If funding for reconstruction in Sint Maarten had amounted to significantly more (an increase by 20 percent to EUR 660.0 million) or less (a decrease by 20 percent to EUR 440.0 million), this would have affected the scope of reconstruction efforts in Sint Maarten.

210. As indicated in section 3.3.3., the NRRP estimated damages and losses caused by Hurricanes Irma and Maria at USD 2.7 billion (USD 1.4 billion and USD 1.3 billion, respectively). Reconstruction needs thus by far exceeded the maximum contribution that the Government of the Netherlands was willing to make. If up to 20 percent funding had been made available unfunded needs identified in the NRRP could have been addressed. The question is whether this would have been a wise decision, as even the current funding spending in Sint Maarten exceeded this small country's absorption capacity.

211. If by contrast significantly fewer resources had been made available (e.g., EUR 440.0 million corresponding to 20 percent less), fewer needs could have been addressed. It is likely that the rehabilitation of the hospital, the reconstruction of the airport and improved debris management would still have been included among the priorities. In the worst case, significant needs would have remained unaddressed. There were limited options to reduce contributions to these projects in seeking complementary funding from other sources (outside the airport benefitting from EIB support and the hospital having access to private sector support). Not being an independent country with access to the international financing system, Sint Maarten does not

²⁰³ Emergency Income Support and Training Project (EISTP).

²⁰⁴ Enterprise Support Project (ESP).

²⁰⁵ Resources for Community Resilience (R4CR) / Civil Society Partnership Facility for Resilience Project.

²⁰⁶ Child Resilience and Protection Project (CRPP).

²⁰⁷ *Algemene Rekenkamer 2018 en 2020, Focus op de Nederlandse bijdrage aan de wederopbouw van Sint Maarten; 2020 The Legend of Lokhay, mini-audit; 2018, 2019, 2020 en 2021, Resultaten verantwoordingsonderzoek Koninkrijksrelaties (IV) en BES fonds (H).*

have access to the myriad of international funding mechanisms, whereby private sector funding for public goods is only possible against high rates of return anyway.

212. Trust Fund projects addressing social needs, e.g., the Enterprise Support Project (ESP) (supporting micro, small and medium enterprises), the R4CR Project (civil society organisations), the Child Resilience Project, could have been entrusted directly to the partner organisations involved in the early recovery phase and without an unfortunate gap in activities. If the Ministry of BZK had situated these projects under direct support rather than under the Trust Fund modality, this would also have produced some savings, albeit with the downside that the organisations would not have benefitted from the capacity building inherent to the procurement guidelines and social and environmental safeguards of the World Bank. On the other hand, it may be questioned, if these standards are perceived as quite appropriate at this level, as notably NGOs have often experienced them more as a burden than as a benefit.

213. Under direct support funds, disbursements for border control and public law and order were considered high priority by the Government of the Netherlands and would have been made irrespective of whether more or fewer resources had been available. Support to Trust Fund activities, e.g., legal fees and technical assistance by the Schiphol Group, were also considered indispensable in 2018-2020, but alternative funding, e.g., by PJIA itself, could have been considered. In 2021, significant amounts of money were made available to a variety of causes, e.g., technical assistance to the Ministry of VROMI, purchase of a stormwater pump and a submersible pump as well as funding for IMF-CARTAC. This was optional and dependent on the availability of funding. Had less money been available, these disbursements could have been avoided, if fewer resources had been available. The rush to make disbursements in 2020-2021, i.e., before the deadline for direct support disbursements, suggests that more funds would have aggravated the problem.

214. There are currently no indications that overall Trust Fund funding needs to be increased or decreased within the timeframe ending in 2025 according to provisions prevailing at the end of 2021. Trust Fund disbursements seem to be on track for all projects. At the same time, significant disbursements are planned for new projects, e.g., the Fostering Resilient Learning Project (USD 30.0 million), additional funding for the Emergency Debris Project (USD 25.0 million), the Long-Term Waste Management (USD 10.0 million), and the Mental Health Project (USD 8.0 million). All these cost estimates could be revised upward or downward, whereby entire projects could also be cancelled. Funding would also have to be reconsidered if the Trust Fund period were not to be extended beyond 2025.

215. Similar deliberations would have to take place for direct support projects disbursed recently. If ex-post significantly fewer resources were available, it would have to be investigated if certain activities approved in 2021 could still be reversed. Examples include the purchase of a stormwater pump for the Ministry of VROMI²⁰⁸ (worth EUR 2.5 million), the submersible pump for the fire brigade (worth more than EUR 700.000) and the contracting of IMF-CARTAC²⁰⁹ worth EUR 2.0 million). If significantly more resources were to be made available, new projects would have to be identified, which may be difficult, if these need to be related to effects of Hurricane Irma.

Conclusion 25: The prospect of the creation of a National Resilience Fund / Disaster Risk Facility on reimbursements by PJIA²¹⁰ to the Government of Sint Maarten (currently estimated at USD 80.0 million) offers an interesting perspective for strengthening Sint Maarten's capacity to prepare for and respond to future disasters in a more autonomous manner.

216. It is a welcome development that the Trust Fund Steering Committee makes it a priority to study how funds that will be fed by reimbursements due from loans should function with proper financial and managerial safeguards. A National Resilience Fund would be created as from 2027

²⁰⁸ (Sint Maarten) Ministry of Public Housing, Spatial Planning, Environment, and Infrastructure (VROMI).

²⁰⁹ Caribbean Regional Technical Assistance Center of the International Monetary Fund (IMF-CARTAC).

²¹⁰ Princess Juliana International Airport.

with reimbursements by the Princess Juliana International Airport (PJIA) to Sint Maarten (estimated at around USD 80.0 million).

217. While planning for a National Resilience Fund should start as soon as possible, i.e., already under the current phase, its establishment will be gradual, in principle as from 2027. It needs to be examined how the World Bank could continue to provide technical assistance to the establishment of the Fund, through the Trust Fund and possibly beyond, if the Trust Fund were to be terminated in 2028²¹¹.

Recommendation 9: Given that the rates of allocations and disbursements of both Trust Fund and direct support projects are basically on track, there is no need to consider an increase / decrease by up to 20 percent of this funding within the current timeframe ending in 2025. An increase may be considered if the Trust Fund is extended beyond 2025²¹². It should also be considered to extend the end date of direct support activities until the end date of the Trust Fund. At mid-point of the Article 8 implementation period, there is a need to establish realistic roadmaps for all projects determining whether they can be completed by 2025 or whether they require alternative arrangements and / or a longer timeframe after 31 December 2025²¹³.

Recommendation 10: Management of the National Resilience Fund should be entrusted to an autonomous authority that is situated outside the national budget of the Government of Sint Maarten, whereby oversight would possibly involve representation of the Netherlands in the governance structure. The National Recovery Program Bureau (NRPB) could remain involved for the implementation of projects.

²¹¹ As was decided in mid-2022. See below under recommendation 9.

²¹² As of mid-2022, the *Rijksministerraad* approved an extension until 2028. It has been agreed that this extension can take place without additional financing. Based on World Bank calculations this will be possible, though risks presented by rising prices may require within project and potentially portfolio level re-engineering of some Trust Fund projects and objectives (with marginal impact on broad outcomes). Additional funds may also be needed in the event of Sint Maarten being affected by other major crises, e.g., hurricanes.

²¹³ It is understood that such a roadmap has already been established as part of the proposal to extend the Trust Fund until end 2028.

ANNEX I

Letter of 21 September 2020 from State Secretary for the Interior and Kingdom Relations Raymond Knops to the House of Representatives on the study design for the policy review of article 8 of the Ministry of the Interior and Kingdom Relations budget

By means of this letter, I am informing you of the design of the policy review of article 8, Reconstruction of St Maarten, St Eustatius and Saba, of the budget of the Ministry of the Interior and Kingdom Relations (chapter IV of the national budget), which will be sent to the House in 2021, and the evaluation questions the policy review will address. This letter honours the motion submitted by Mark Harbers (Parliamentary Papers, House of Representatives 2014-2015, 34 000, no. 36) that the House should be informed in advance of the design and evaluation questions of policy reviews and that the House should be given the opportunity to influence the design and questions.

The goal of the policy review of article 8 is to gain an understanding of the efficiency and effectiveness of the policy conducted between 17 September 2017 and 1 September 2020. The review will meet the quality requirements laid down in the Order on Periodic Policy Evaluations. This is reflected in the study design and questions, for which I refer to the appendix.

This letter has been delayed by the decision to involve an independent evaluator in the policy review (see the study design) in order to guarantee the review's independence.

Appendices

Appendix 1 Study design of the policy review of budget article 8 of the Ministry of the Interior and Kingdom Relations budget

Appendix number	1
Date	21 September 2020
Our reference	2020-0000438233

Introduction

Hurricanes Irma and Maria swept over St Maarten, Saba and St Eustatius with destructive force in September 2017, devastating large parts of the islands. The Netherlands' initial response was to release a total of €55 million in acute humanitarian emergency aid for the three islands. Following this initial emergency aid, attention turned first to the early recovery phase of the islands, focusing on essential projects that could begin quickly. A plan for the reconstruction of the three islands was also drawn up during the early recovery phase. The Dutch government has made €550 million available for the reconstruction of St Maarten (comprising €80 million in direct support and €470 million through a World Bank Trust Fund) and €67 million for the reconstruction of Saba and St Eustatius. This €67 million was transferred in its entirety to various ministries from the Ministry of Finance's supplementary item.

To this end, article 8 was added to the Kingdom Relations budget:

- article 8.1: reconstruction (including direct support),
- article 8.2: emergency aid.

The budget for 2019 stated that the Ministry of the Interior and Kingdom Relations would commence a policy review of article 8 in 2020. The policy review will start in 2020 and be submitted to the House in 2021.

Goal

The aim of the policy review is twofold. On the one hand, it must give the fullest possible picture of the effectiveness and efficiency of expenditure already incurred for the reconstruction of St Maarten, St Eustatius and Saba and, on the other, it must describe the effectiveness and efficiency of the implementation structure put in place for the reconstruction of St Maarten, in theory and in practice.

Reconstruction of St Maarten, St Eustatius and Saba began at the end of 2017 and will continue on Saba and St Eustatius until 31 December 2021 and on St Maarten until 31 December 2025. Most of the reconstruction activities on St Maarten formally began when the Trust Fund commenced operations on 16 April 2018. A full policy evaluation therefore cannot be carried out at present as many activities still have to be completed. The policy review can be regarded as an intermediate step concerned principally with learning lessons and identifying areas for improvement. The policy review will also account for the selection of activities and the expenditure already incurred. A final evaluation of the policy for the reconstruction of St Maarten, Saba and St Eustatius (article 8 of the Ministry of the Interior and Kingdom Relations budget) can be carried out after completion of the reconstruction activities on 31 December 2025.

Questions

The policy review will examine the efficiency and effectiveness of the policy conducted regarding article 8 in the period from September 2017 to 1 September 2020.

The policy review will therefore consist of three parts:

- Part I: emergency aid (including early recovery aid for St Maarten),
- Part II: reconstruction of St Maarten (including direct support),
- Part III: reconstruction of Saba and St Eustatius.

As the activities for part II and part III will continue until 31 December 2025, these parts will be subject to a midterm review ahead of a full final evaluation of article 8 after completion of the reconstruction programme. The study of parts II and III will therefore focus on obtaining findings with a view to learning lessons and making recommendations for the remainder of the reconstruction programme.

The activities for part I, provision of emergency aid, have been completed and will be studied as part of the policy evaluation in order to account for the effectiveness and efficiency of the use of funds.

The policy review will address the following questions:

General questions for parts I, II and III:

1. What article(s) (or article part(s)) is/are considered in the policy review?
2. Where applicable, when will the other article parts be reviewed?
3. What prompted the policy? Is the cause still relevant?
4. What is central government's responsibility?
5. What is the nature of and relationship between the instruments used?
6. What expenditure is associated with the policy, including costs in other areas and for other parties?
7. What is the justification for the expenditure? How does it relate to the volume/use and price/tariff components?
8. What evaluations (with sources) have been carried out, how was the policy evaluated and for what reasons?
9. What policy components have not yet been evaluated? Including an explanation of whether or not the effectiveness and efficiency of policy can be evaluated in the future.
10. To what extent can opinions be expressed on the effectiveness and efficiency of the policy field based on the available study material?
11. Have the policy goals been achieved?
 - i See questions for part I, emergency aid.
 - ii See questions for part II, reconstruction of St Maarten.
 - iii See questions for part III, reconstruction of Saba and St Eustatius.
12. How effective has the policy been? Have there been positive and/or negative spinoff effects?
 - i See questions for part I, emergency aid.
 - ii See questions for part II, reconstruction of St Maarten.
 - iii See questions for part III, reconstruction of Saba and St Eustatius.
13. How efficient has the policy been?
 - i See questions for part I, emergency aid.
14. What measures can be taken to increase efficiency and effectiveness?
 - i See questions for part I, emergency aid.
 - ii See questions for part II, reconstruction of St Maarten, only effectiveness.
 - iii See questions on part III, reconstruction of Saba and St Eustatius, only effectiveness.
15. In the event of significantly lower funds being available (about 20% less funding for the policy article(s)), what policy options are available?
 - a) The improvement section will briefly consider the performance of the policy review in order to obtain a better understanding of the effectiveness and efficiency of policy in the future.
 - b) Finally, the policy review will include scenarios in which policy options are carried out with

20% less funding (saving) or with 20% more funding (spending increase).

Questions for part I: Emergency aid

- a) Has the crisis structure that has been established made it possible to provide emergency aid efficiently?
- b) On what criteria (including design versus practicability) were the projects selected for the early recovery phase? Were those criteria relevant in view of people's needs and based on a needs assessment?
- c) Did the projects selected for the early recovery phase help put the right conditions in place for the reconstruction of St Maarten, St Eustatius and Saba? Did they do so efficiently?
- d) What lessons can we learn for future hurricane-related crisis situations?

Questions for part II: Reconstruction of St Maarten

- e) What agreements were made regarding accountability in relation to the Trust Fund and the part played by the World Bank, and what were the underlying reasons for those agreements?
- f) To what extent were the agreements honoured in practice? Were the agreements practicable? On what points were departures made from the agreements and why?
- g) Does this structure ensure (in theory and in practice) that the funds are spent on the right projects and programmes and on a timely basis (effectiveness and efficiency)?
- h) Does the structure give the Netherlands enough influence (in theory and in practice) to ensure that the Dutch Guiding Principles are observed?

Questions for part III: Reconstruction of Saba and St Eustatius

- i) How has the Minister of the Interior and Kingdom Relations fulfilled the role of coordinating the reconstruction of Saba and St Eustatius and how did this role contribute to achieving the government-wide goals (effectiveness and efficiency)?
- j) Did the Ministry of the Interior and Kingdom Relations' use of funds and measures achieve the intended goals? How effective and efficient were those funds?
- k) What role did/do the other ministries play regarding the aid?

To answer question 6 in full, information is needed on both public and private local contributions to Saba, St Eustatius and St Maarten. A full understanding is not considered possible, partly because many reconstruction activities are being/will be financed privately. The possibility of taking a different approach will be studied. This approach will entail interviews with key informants and studies of government documents (Saba, St Eustatius and St Maarten) containing information on what has been financed from public funds. Such information can then be checked against the original plans and financial projections.

Scope of budget article 8

The review will consider the policy conducted under policy article 8 of the Ministry of the Interior and Kingdom Relations budget in the period from 17 September 2017 to 1 September 2020. It will not include reconstruction activities funded from the budgets of other ministries.

General goal

Coordination of the reconstruction of Saba and St Eustatius and of the Netherlands' contribution to the reconstruction of St Maarten following the damage caused by hurricanes Irma and Maria in 2017.

Role and responsibility

Hurricanes Irma and Maria left a trail of devastation across the Caribbean region in September 2017. Within the Kingdom, the public bodies of Saba and St Eustatius and the country of St Maarten were affected.

Reconstruction is being coordinated by the State Secretary for the Interior and Kingdom Relations. The Ministry of Education, Culture and Science, the Ministry of Foreign Affairs, the Ministry of Defence, the Ministry of Economic Affairs and Climate Policy, and the Ministry of Infrastructure and

Water Management are also involved in the reconstruction projects, besides the Ministry of the Interior and Kingdom Relations. The projects funded from the budgets of the Ministry of Foreign Affairs, the Ministry of Defence, the Ministry of Education, Culture and Science, the Ministry of Economic Affairs and Climate Policy and the Ministry of Infrastructure and Water Management are not included in the policy review.

The State Secretary for the Interior and Kingdom Relations is financing part of the cost of the reconstruction of St Maarten through the reconstruction fund until 31 December 2025. This contribution is linked to political conditions agreed with St Maarten: the establishment of an Integrity Chamber and the strengthening of border control. The Netherlands will strictly monitor compliance with these conditions during reconstruction.

The main funding pathway for the reconstruction of St Maarten involves a Trust Fund set up by the World Bank. Both the Netherlands and St Maarten sit in the steering group that manages the Trust Fund. The Netherlands' priorities are economic development and accessibility, the waste problem and good governance. The Netherlands will also provide direct support for the reconstruction of St Maarten outside the Trust Fund. It will contribute, for instance, to the cost of law enforcement. At an earlier stage, the Netherlands directly contributed to emergency aid for St Maarten and to certain projects in the transitional phase in anticipation of the Trust Fund coming into operation.

Budget article 8 consists of two budget items that will be included in the policy review (see also table 1):

1. article 8.1: reconstruction
2. article 8.2: emergency aid

Besides emergency aid and reconstruction, the theory of change and evaluation questions also distinguish the early recovery phase. The early recovery phase is not recognised as such in budget article 8, and the activities and related budget are included under the direct support provided from article 8.1 (reconstruction).

Although it is a condition for the provision of aid, the establishment of the Integrity Chamber does not fall under article 8 and will therefore not be included in the policy review.

Table 1: Multiyear Ministry of the Interior and Kingdom Relations budget, policy article 8

Ministry of the Interior and Kingdom Relations budget, policy article (in thousands of euros)		2017	2018	2019	2020
Art. no.	Commitments	€ 28,103	331,958	24,362	-
	Expenditure	€ 21,491	338,226	21,222	-
	Of which legally required (percentage)				0%
8.1	Reconstruction	€ -	319,304	21,222	-
	Grants	€ -	-	1,230	-
	Miscellaneous grants	€ -	€ -	€ 1,230	€ -
	Loans	€ -	38,579	13,245	-
	Liquidity support for St Maarten	€ -	€ 38,579	€ -	€ -
	Bridging credit, St Maarten airport	€ -	€ -	€ 13,245	€ -
	Engagements	€ -	134	491	-
	Reconstruction of St Maarten	€ -	€ 134	€ 491	€ -
	Contributions to local governments	€ -	11,842	6,123	-
	St Maarten Police Force	€ -	€ 3,358	€ 300	€ -
	Reconstruction of St Eustatius	€ -	€ 3,463	€ 5,823	€ -
	Reconstruction of St Maarten	€ -	€ 250	€ -	€ -
	Reconstruction of Saba	€ -	€ 3,861	€ -	€ -
	Border control, St Maarten	€ -	€ 910	€ -	€ -
	Contributions to national and international organisations	€ -	268,749	133	-
	Reconstruction of St Maarten	€ -	€ 6,748	€ 133	€ -
	World Bank	€ -	€ 262,001	€ -	€ -

8.2	Emergency aid	€ 21,491	18,922	-	-
	Engagements	€ 6,861	425	-	-
	Emergency aid	€ 6,861	425	-	-
	Contributions to national and international organisations	€ -	1,617	-	-
	Emergency aid, St Maarten	€ -	33	-	-
	Emergency aid, St Eustatius and Saba	€ -	1,584	-	-
	Contributions to agency administrative costs	€ -	-	-	-
	Central Government Real Estate Agency (reconstruction contribution)	€ -	-	-	-
	Contributions to other budget chapters	€ 14,630	16,880	-	-
	Ministry of Infrastructure and Water Management	€ 6,350	-	-	-
	Ministry of Defence	€ -	16,837	-	-
	Ministry of Health, Welfare and Sport	€ 1,682	-	-	-
	Ministry of Justice and Security	€ 5,444	43	-	-
	Ministry of Education, Culture and Science	€ 836	-	-	-
	Ministry of Foreign Affairs	€ 318	-	-	-
	Revenue		1,467	-	-

Notes

1. The activities financed from budget article 8 began in September 2017.
2. The article 8.2 emergency aid contributed to other budget chapters is included in the policy review.
3. The contributions for the reconstruction of St Maarten, St Eustatius and Saba in the budgets of other ministries will not be included in the policy review as they have not yet been completed. These reconstruction activities can be evaluated in the final policy review in due course.
4. The reconstruction activities on Saba and St Eustatius (€67 million) have not yet been completed and will continue until 31 December 2021.
5. The St Maarten Trust Fund, which will provide up to €470 million for the reconstruction of St Maarten, commenced operations on 16 April 2018. Most of the activities have not yet been completed. The aim is to complete these activities by 31 December 2025.
6. The activities funded from the €80 million provided in direct support have not yet been completed and will continue until 31 December 2021.

The Ministry of Education, Culture and Science, the Ministry of Foreign Affairs, the Ministry of Economic Affairs and Climate Policy and the Ministry of Infrastructure and Water Management are involved, besides the Ministry of the Interior and Kingdom Relations. The Ministry of Defence was and is also closely involved in the emergency aid and reconstruction. These ministries are therefore also involved in the policy review and are represented in the associated monitoring committee.

Budget flexibility 2020

This article does not include a budget for 2020. The portion of the 2019 budget that was not spent during that year will be available in 2020. Depending on developments in 2019, funds will be transferred from Ministry of Finance's supplementary item to the Kingdom Relations budget for the account of the Trust Fund managed by the World Bank.

As there has still been no expenditure under this article in 2020, 0% of the article 8 budgets is legally required. This article has a full year-end margin. No expenditure has therefore been budgeted for 2020.

Theory of change

The general theory underlying this policy relates to the alleviation of immediate needs following a natural or other disaster (acute emergency aid to provide medical care, food, drinking water and temporary shelter) followed by the early recovery phase, in which the most essential social and economic services are restored. These two phases are followed by the reconstruction phase to

restore the pre-disaster situation. The reconstruction phase also considers whether and to what extent services should be restored in such a way that they are better than before the disaster, including in a future disaster ('build back better'). For aid to be successful, it is important for these three phases to be properly planned and implemented.

The total contribution of €550 million for reconstruction is subject to two conditions that St Maarten agreed to in December 2017 as an independent country within the Kingdom: the establishment of an Integrity Chamber and the strengthening of border control. The Netherlands will strictly monitor compliance with these conditions during reconstruction. Since 2010, Saba and St Eustatius have had the status of public bodies (analogous to municipalities) within the Caribbean Netherlands. It was therefore not necessary to conclude separate agreements with these two islands to provide the aforementioned €67 million for their reconstruction.

Emergency aid & early recovery

The Netherlands' initial response was to release a total of €55 million in emergency aid for the three islands. Following this initial emergency aid, attention turned first to the early recovery phase of the islands, focusing on essential projects that could begin quickly and directly benefit the most vulnerable groups, such as children and the elderly. For instance, projects were launched to repair houses in order to provide short-term shelter to these vulnerable groups, and psychosocial assistance was also provided. Measures were also taken to create jobs through the provision of microcredits to new and recovering businesses and to encourage innovative entrepreneurship in cooperation with Dutch startups.

Reconstruction of St Maarten

A considerable proportion of the €550 million was placed in a Trust Fund managed by the World Bank. The Netherlands has made up to €470 million available to the Trust Fund. As an independent expert, the World Bank has advised St Maarten on the preparation of an integrated National Recovery and Resilience Plan (NRRP). The NRRP is a step-by-step plan for the reconstruction of St Maarten.

The Trust Fund will finance programmes and projects based on the NRRP that require public funding. The projects must meet the World Bank's standard requirements on the integrity, regularity and efficiency of expenditure. The Dutch Guiding Principles (DGP) apply to the activities financed from the Trust Fund.

The DGP are non-binding guidelines regarding expenditure of Trust Fund resources by the World Bank and third parties. In essence, they require the Dutch funds to contribute to the recovery/reconstruction of St Maarten where necessary. The motto is to 'build back better': all new buildings must be sustainable and capable of withstanding category 5 hurricanes. Furthermore, the DGP include several principles such as necessity, complementarity, suitability, effectiveness, efficiency and legitimacy. They also set specific policy goals, such as sustainable waste processing and water treatment, guaranteed access to St Maarten and good governance. These specific policy goals are extremely desirable but are not binding.

Reconstruction of Saba and St Eustatius

The government-wide strategy for the reconstruction of the public bodies of Saba and St Eustatius is being coordinated by the State Secretary for the Interior and Kingdom Relations. The State Secretary has also provided funds from the ministry's budget. The ministry is therefore contributing to the recovery and hurricane-proofing of homes on St Eustatius and Saba. On St Eustatius, work to stabilise the eroding cliff on which Fort Oranje is located began in 2018.

Method

The policy review will consist chiefly of an ex-post synthesis study of the evaluations of individual policy instruments based on the three parts:

- Part I: emergency aid (including early recovery aid for St Maarten),
- Part II: reconstruction of St Maarten (including direct support),

- Part III: reconstruction of Saba and St Eustatius.

Several evaluations for part III, reconstruction of Saba and St Eustatius, have already been carried out for the policy review of article 8.1 (reconstruction). For the review of part II, reconstruction of St Maarten, periodic accounting reports, monitoring reports and other reports prepared for this programme will be studied. Interviews will also be held with stakeholders. The reports and interviews will be analysed to establish how the project-based approach has contributed to the results achieved by the Trust Fund so far.

For the review of article 8.2 (emergency aid), several evaluations have already been carried out for part I; see the section on 'Evaluations and other documents' below.

All article 8's policy components are therefore covered.

The implementation method and study approach differ from one study component to another.

An external consultancy with experience of evaluations of crisis management, acute emergency aid and reconstruction following natural disasters will be engaged to study parts I and III (emergency aid and reconstruction of Saba and St Eustatius). The core reconstruction team of the Directorate-General for Kingdom Relations (DGKR), which is responsible for the performance of the policy review, does not have sufficient expertise in these areas.

The study of part I of the policy review will focus on learning lessons for effective action in future crises and accounting for the efficient use of the funds provided.

The study of part III will largely take the form of a midterm evaluation to obtain important findings with a view to learning lessons and making recommendations for the remainder of the programme. This is because funding of the reconstruction of Saba and St Eustatius will continue until the end of 2021. Funding for St Maarten will continue until the end of 2025 owing to the arrangement with the World Bank. In due course the final evaluation of part III can then be carried out together with the final evaluation of part II.

It is more efficient to have the same consultancy evaluate part III rather than the core team tasked with the policy review. The researchers will examine to what extent emergency aid and reconstruction complement each other.

The method for part II, like that for part III, will focus on learning lessons and making recommendations for the remainder of the programme and will have more of the character of a midterm evaluation. The reason for this is that the reconstruction of St Maarten has not yet been completed. In due course, the final evaluation of part III can then be carried out together with the final evaluation of part II.

An external independent evaluator will be engaged to study part II, with the support of the core team, consisting of staff from DGKR's reconstruction team. The main reason for this is that the core team is already working closely with the main respondents and enjoys the confidence of the World Bank and stakeholders on St Maarten. This will enhance the quality of the interviews. Furthermore, the core team's members regularly attend, or have attended, the meetings of the steering group and the Technical Working Group (TWG). This is a significant advantage as the reports are often summary in nature. Furthermore, the World Bank shares many valuable documents informally with the Ministry of the Interior and Kingdom Relations and it has said that it might not be able to share all these documents with an external consultancy. The core team's involvement can nevertheless make this possible. The study's independence is guaranteed by having an external evaluator carry it out with assistance from the core team.

Parts I and III

The core team will decide on the method to be used in consultation with the consultancy engaged. A consultancy will be asked to make an initial proposal. The joint decision on the method will

ensure that the approach matches the evaluation questions by combining the consultancy's expertise with the core team's knowledge of the islands and the reconstruction process.

Part II

The evaluation questions for part II of this review will be addressed by means of a desk study and interviews.

- The **desk study** will focus on: a) the agreements made, including the Dutch Guiding Principles, and the assessments made in the process leading up to them; b) reports on meetings of the steering group and the TWG; and c) other relevant documents.
- **Interviews** will be held with the three members of the steering group and the members of the TWG. Several interviews will also be held with other stakeholders, including those at the ministries on St Maarten, beneficiaries of the Trust Fund, and current and former staff at the Ministry of the Interior and Kingdom Relations who were involved in making the agreements. Where feasible, interviews will be held in person (i.e. on site in St Maarten and Washington) as this will improve the quality of the information obtained. Digital interviews may also be held (via Skype, etc.) although this is not the preferred method. Interviewees must be made aware that the information they provide during the interviews will be made public.

As noted above, the reviews (studies) of articles 8.1 and 8.2 will be carried out separately, but there will be a single monitoring committee and independent adviser. The studies will be separate because of the different nature of the reviews of the two articles. For both articles, it has been decided (in part) to engage one or more consultancies to carry out the activities. The Ministry of the Interior and Kingdom Relations will provide input and take part in substantive meetings on the theory of change and analysis. The study findings of the entire policy review will be presented in a final synthesis report.

Improvement section

The improvement section will consider the performance of the policy review in order to gain a better understanding of policy effectiveness and efficiency in the future.

Lower- and higher-funding variants

Finally, the policy review will include scenarios in which policy options are implemented with 20% less funding and 20% more funding.

Quality assurance

A committee has been appointed to monitor the quality and progress of the review. It is made up of representatives of the ministries involved in budget article 8.

The committee is chaired by Sjef IJzermans. Mr IJzermans is the Netherlands' former ambassador to Bangladesh, frequently worked with the World Bank during his time as an economic attaché to the World Bank at the Dutch embassy in Washington DC and can therefore accurately gauge the various political sensitivities of the parties concerned. He also has a wealth of experience chairing various advisory committees at the Ministry of Foreign Affairs and elsewhere.

An independent expert will be involved in the policy review of article 8. The independent expert will oversee the quality of the study methods, partly by participating in the monitoring committee's meetings, and will express an opinion on the quality of the policy review. The independent adviser was also involved in the preparation of the study design and advised on it.

Ted Kliet will act as independent adviser for the policy review of article 8. Mr Kliet has more than 25 years' experience of organising and performing evaluations and policy reviews. As a senior evaluator at the Policy and Operations Evaluation Department of the Ministry of Foreign Affairs, he headed the policy review of the aid provided by the Netherlands following the earthquake on Haiti and the policy review of Dutch support for fragile states. He was also involved in evaluations relating to the Netherlands Antilles and Aruba. Since his retirement in 2014, Mr Kliet has worked

as an independent quality adviser in the fields of evaluations and evaluation studies.

Timeline

The aim is to submit the review to the House no later than the final quarter of 2021.

Evaluations and other documents

- Administration Arrangement with the Government of the Netherlands for Contribution to TF073024
- Operating Procedure for the Administration Arrangement
- Guiding Principles of the Netherlands Regarding the Execution of the Trust Fund for the Recovery of St Maarten
- Reports on all meetings of the steering group and TWG
- Project proposals for the early recovery phase
- Accounts and reports of the parties implementing the early recovery phase
- Internal documents of the Ministry of the Interior and Kingdom Relations (documents provided to ministers and state secretaries, internal emails between members of the reconstruction team)
- Any internal evaluation or progress reports of the World Bank on the reconstruction of St Maarten.
- Communication between the Ministry of the Interior and Kingdom Relations and other ministries
- The outcomes of the external study
- Documents on Saba and St Eustatius
- Evaluation by the Hurricane Irma National Crisis Organisation (COT)
- Other studies of central government's response to natural disasters in the Caribbean Netherlands, such as Hurricane Louis in 1996
- Any studies already made of the crisis organisation in the region and of the further development of the Regional Crisis Management Platform (RPC)

Other sources will be identified in the request and the analysis phase. Transcriptions of the interviews with members of the steering group and the TWG and external parties will also be studied. These sources will become available in the course of the policy review.

ANNEX II

Letter of 17 December 2020 from State Secretary for the Interior and Kingdom Relations Raymond Knops to the House of Representatives replying to written questions submitted on 4 November 2020 by the Permanent Committee on Kingdom Relations regarding the study design for the policy review of article 8 of chapter IV (Kingdom Relations) of the national budget (Parliamentary Paper 33 189, no. 12)

Questions relating to the period under study:

- **Why has it been decided to carry out this policy review now, with the period under study being just three years, 2017-2020?**
- **Is it likely that the findings will provide a realistic picture of the efficiency and effectiveness of expenditure and the policy conducted, given that the study covers such a short period and the reconstruction activities on St Maarten (part II) will not be completed for another five years?**
- **Why not wait a short while before evaluating the reconstruction activities on Saba and St Eustatius, as they will be completed in 2021?**

The House was given an undertaking on the timing of the policy review in the Budget Act on chapter IV, Kingdom Relations and BES Fund, for 2019 (Parliamentary Paper 35 000 IV, no. 2).

Further to your questions and in the light of your remarks and a consideration of the pros and cons, I have decided to extend the study period for the policy review, with completion now set for 2022.

I took the following factors into account:

1. extending the study period will permit an investigation of whether and how reconstruction activities funded from other ministries' budgets can be included in the review;
2. extending the study period will also enable the reconstruction activities completed on Saba and St Eustatius to be included and a final evaluation to be carried out, so that an additional evaluation will not be needed.

As a result, the evaluation can also include another year of St Maarten's reconstruction. This is expected to strengthen the efficiency and effectiveness of the policy review.

Questions relating to the external independent evaluator and the core team's support:

- **The external independent evaluator engaged for the study will be supported by the core team, consisting of staff from the reconstruction team at the Directorate-General for Kingdom Relations of the Ministry of the Interior and Kingdom Relations. Have the arrangements been set out in a sort of protocol? What steps will be taken to prevent the core team finding itself in a position where it has to evaluate and review itself?**
- **What steps will be taken to prevent the core team's involvement and support from compromising the study's independence?**
- **Is there no other way of providing the World Bank's documents to the external consultancy than by sharing them informally with the Ministry of the Interior and Kingdom Relations, for instance by means of a confidentiality agreement?**
- **Why hasn't an independent evaluator been involved in the study from the outset as this was one of the quality requirements under the Order on Periodic Policy Evaluations?**

The policy review of the reconstruction of St Maarten is a midterm evaluation. It was therefore not thought necessary to have an independent evaluator carry it out. This is not required under the Order on Periodic Policy Evaluations (RPE). Policy reviews are often carried out by ministries themselves. From the outset, however, the need for an independent expert was recognised, in accordance with the RPE. During the development of the study design for the policy review, it was realised, partly due to comments by the monitoring group overseeing the policy review in

accordance with the RPE, that an independent evaluator would be essential in this case owing to the complex relationships between the parties. An independent evaluator was therefore added to the study design.

The external evaluator is responsible for studying the reconstruction activities on St Maarten in accordance with the requirements for independent and reliable evaluations. The core team has only a facilitating and supporting role. The external evaluator is also responsible for the policy review's final report, which will present the results of the consultancy's study of the emergency aid on all three islands and the reconstruction of Saba and St Eustatius. The quality of the study will be monitored by both the monitoring committee and the independent expert.

In conjunction with the World Bank, we are currently examining the options. For the time being, we are proceeding on the basis of the study design.

Questions relating to the conditions attached to the aid provided to St Maarten:

- **Why aren't the conditions attached to the aid provided to St Maarten (strengthening of border control and establishment of an Integrity Chamber) included in the policy review?**
- **Why isn't the policy review being used to gain an understanding of the performance of St Maarten's Integrity Chamber and determine whether it is meeting the requirements set by the Netherlands?**
- **Why is the policy review not being used to evaluate border control on St Maarten?**

The establishment of the Integrity Chamber and the strengthening of border control were conditions for the provision of financial support for the reconstruction activities on St Maarten. The Integrity Chamber and border control are not reconstruction activities. As indicated in the study design, the strengthening of border control is included in the policy review because it falls under article 8. The establishment of the Integrity Chamber is not included because it falls under article 4 and is therefore outside the scope of the policy review.

Questions relating to evaluation questions 4 and 6:

- **Does the study of central government's responsibility relate to central government solely in the context of the Netherlands or in the context of the Kingdom?**
- **Will interviewing several key informants and studying government documents on the award of public funds provide sufficient insight into both public and private fund expenditure and costs in other areas and for other parties associated with the policy?**
- **It might not be possible to answer question 6 in full because it requires an understanding of local contributions to St Maarten, St Eustatius and Saba from both private and public funds. As it is currently worded (What expenditure is associated with the policy, including costs in other areas or for other parties?), what does question 6 contribute to the study given that it might not be possible to answer it in full?**

The policy review will evaluate the policy of the central government of the Netherlands. The government of the Netherlands does not have the power to evaluate the public authorities of other countries. However, it can consider the role played by the government of St Maarten in the reconstruction activities, how the Netherlands handled this, and the lessons that can be learned. This is also set out in question 6.

During the study, interviews will be held with an appropriate and varied number of key informants. Various government documents will also be studied to gain the necessary insight. The policy review will be dependent, however, on the key informants' willingness to talk with the consultancy.

Regarding question 6, if the information is inadequate, the methodological report customary for

evaluations such as the present policy review will state so.

Questions relating to the midterm nature of the evaluation:

- **What form will the final evaluation take? More specifically, how will the final evaluation of part III (reconstruction of Saba and St Eustatius, which will be completed in a year's time) be designed?**
- **Has a possible design for a future final evaluation of the reconstruction of St Maarten by the World Bank already been proposed?**

The final evaluation of the reconstruction activities on St Maarten will take the form of an ex-post evaluation. Its primary goal will be to provide information on the ultimate results of the reconstruction aid on all the islands and thus on the results of the reconstruction policy.

The extension of the study period means the midterm evaluation of the reconstruction activities on Saba and St Eustatius will become a final evaluation.

A possible design for a future final evaluation of the reconstruction of St Maarten by the World Bank has not yet been proposed. The methodological design of the ex-post final evaluation will be prepared during the six months prior to the completion of the reconstruction activities financed from the Trust Fund (which ends on 31 December 2025). The design of the final evaluation of the reconstruction activities on all three islands will draw on the lessons learned from the current policy review. The final evaluation is expected to begin in 2026. The World Bank will also carry out a final evaluation of the reconstruction of St Maarten in accordance with its own standard method.

Questions relating to reconstruction activities funded from the budgets of other ministries:

- **Why doesn't this policy review include reconstruction activities funded from other ministries' budgets?**
- **How can a relevant and comprehensive policy review of the emergency aid and the reconstruction be carried out if it does not consider these activities or funds?**

It was decided in the Budget Act on chapter IV, Kingdom Relations and BES Fund, for 2019, to include the article 8 reconstruction activities in the Ministry of the Interior and Kingdom Relations budget. In the current study design, all emergency aid activities are covered by the policy review. However, any reconstruction activities funded from other ministries' budgets are currently being identified for inclusion in the policy review.

Question relating to evaluation question 8:

- **Will relevant evaluation reports issued by such organisations as the National Ombudsman's Office, the Court of Audit, the Red Cross, UNICEF and the Institute for Safety be included in the policy review? If not, why not?**

All relevant reports will be included in the policy review, including those issued by the aforementioned organisations.

ANNEX III

Policy Review of Article 8 of the Budget of Kingdom Relations
Synthesis Report
Annex III: Persons met¹

Organisational perspective²	Persons met	Observations
Evaluation Management		
Ministry of BZK	Bekker, Wim	Evaluation Manager
	Vonk, Patrick	Evaluation Manager
External Independent Adviser	Kliest, Ted	
Chair Evaluation Support Group	Ijzermans, Sjef	
Evaluation Advisory Committee		
	Ijzermans, Sjef	Chairperson
	Bekker, Wim	Ministry of BZK, secretary
	Beijnvoort, Bas	Ministry of Defence
	Clerq, Sophie de	Ministry of Finance
	Doorn. Marloes van	Ministry of Finance
	Jeurissen, Judith	Ministry of BZK
	Kruizinga, Marjon	Ministry of Justice and Security
	Namen, Irina van	Ministry of Justice and Security
	Reeder, Ron	Ministry of Education, Culture and Science
	Rixt, Wilbers	Ministry of Finance
	Slidrecht, Marius	Ministry of Infrastructure and Water Management
	Steenbakkers, Willy	Ministry of Justice and Security
	Kuiper, Hanjo de	Ministry of Foreign Affairs
	Vonk, Patrick	Ministry of BZK, secretary
Evaluation Team Parts I and III		
Team leader	Briene, Michel	Ecorys
Team Member	Meurs, Elvira	Ecorys
Team Member	Snoeijenbos, Simone	Ecorys

¹ Interviews were combined for Parts I / III and II both in the Netherlands and in Sint Maarten. The Part I / III team interviewed partners in Saba and Sint Eustatius.

² Persons met are listed according to their perspective on emergency assistance and reconstruction based on their involvement in the process. They may currently work in other organisations.

Government of the Netherlands		
Netherlands Representative in the Steering Committee	Weekers, Frans	
(Netherlands) Ministry of BZK	Arkenbout, Erwin	
	Bekker, Wim	
	Boer, David de	
	Bonnet, Dirk Jan	
	Borkulo, Erik van	
	Brons, Henk	
	Burlet, Yor	
	Coppelman-De Vries, Mirte	
	Dagelet, Stella	
	Flens, Annecarijn	
	Goozen, Mijke van	
	Jansen, Geert	
	Johnson, Chris	
	Joosen-Parie, Lenneke	
	Hoeve, Merel van	
	Horn van der Plante, Sarah	
	Knops, Joris	
	Kouwenhoven, Sanne	
	Kuperus, Carlein	
	Leijten, Hans	
	Meulen, Sjoerd van	
	Muller, Wilfred	
	Nasser, Garrick	
	Oudelenferink, Rosie	
	Pluijmakers, Cecile	
	Reuver, Saskia de	
	Schumm, Markwin	
	Stelt, Hans van der	
	Tabatabaie, Reza	

	Wetten, Sjoerd van	
	Wilde, Robert Jan de	
	Wiele, Wendele van der	
	Wijsman, Celine	
(Netherlands) Ministry of Defence	Beijnvoort, Bas	
	Trip, Hans	
	Wagemaker, Roos	
(Netherlands) Ministry of Finance	Slippens, Thijs	
(Netherlands) Ministry of Justice and Security	Brand, Wouter	
	Gerritse, Koen	
	Steenbakkers, Willy	
(Netherlands) Ministry of Infrastructure and Water Management	Sliedrecht, Marius	
	Tjalma, Anneke	
(Netherlands) Ministry of Foreign Affairs	Schultink, Gerard	
(Netherlands) Ministry of Education, Culture, and Science	Lantinga, Pim	
	Rijke, Mirja de	
Public Entity of Saba		
Saba Executive Council	Gerritsen, Piet	Policy Adviser
Public Entity of Saba	Muller, Tim	Island Secretary
Fort Bay Harbor Project	Plas, Ton van der	Project Manager
Planning Bureau Department	Zagers, Bobby	Head of Planning Bureau
Public Entity of Sint Eustatius		
Public Entity of Sint Eustatius	Raboen de Sánchez Pancheco, Mel	Change Manager Cabinet Government Commissioner
	Ranzijn, Joury	Program Project Office – Project Manager
Government of Sint Maarten		
Sint Maarten Representative in the Steering Committee	Gumbs, Marcel	
(Sint Maarten) Prime Minister's Office	Ellis-Cornelia, Nerissa	Legal Policy Adviser Cabinet of the Prime Minister
(Sint Maarten) Ministry of Education, Culture, Youth and Sport	Powell Richardson, Shermina	Acting Secretary General

	Boirard, Oralie	
	Mussington-Service, Olga	
(Sint Maarten) Ministry of Public Health, Social Development and Labour	Arnell, Fenna	
	George-Groeneveldt, Chantale	
(Sint Maarten) Fire Department	Martens, Paul,	Disaster Manager
	Richardson, Clive	Section Head of Prevention, Preparation, and Education & Training
	Pauletta, Silvanico	Fire Chief & Disaster coordinator
Former Sint Maarten Minister of Public Housing, Spatial Planning, Environment, and Infrastructure	Giterson, Miklos	
Trust Fund Implementing Partners		
National Recovery Program Bureau (NRPB) ³	Connor, Clarent	Director NRPB
	Knottnerus, Abel	Deputy Director NRPB
	Lake, Olivia	Program Manager
	Laurense, Thijs	Program Manager
NRPB – Emergency Recovery Project I (ERP-I)	Sijssens, Paul	Program Manager
	Carazo, Alfonso	
NRPB – Emergency Income Support and Training Project	Arnell, Joy	
	Bain, Alice	Program Manager
	Schoe, Francetta	Focal Point Ministry of Public Health, Social Development and Labor (VSA)
NRPB- Emergency Debris Management Project + Additional Funding for the Emergency Debris Project + Long Term Waste Management	Thompson, Rueben	Head Safeguards Team
NRPB - Airport Terminal Reconstruction Project	Breel, Mirto	Project Director
	Schmidt, Damien	Project Coordinator
NRPB – Enterprise Support Project	Dijkhoffz, Anisa	Project Manager
	Ochu, Elozona	Adviser
	Elwin Groeneveld	Qredits
	Dumbs, Edsel	Qredits Sint Maarten

³ NRPB Management was present in most project related meetings.

NRPB - Sint Maarten Digital Government Transformation Project	Badejo, Femi	(Netherlands) Ministry of General Affairs
	Connor-Thomas, Emilia	
	Roberts, Chris	Project Manager
NRPB - Fostering Resilient Learning Project	Lake, Olivia	Program Manager
	Laurense, Thijs	Program Manager
	Halley, M.	Stichting Katholiek Onderwijs
	Frederiks, Tanja	Stichting Katholiek Onderwijs
Sint Maarten General Hospital - Hospital Resiliency and Preparedness	Holiday, Felix	Felix Holiday, Medical Director
	Dekker, Bonny Horst, Ineke van der Verwoerd, Ingeborg	Management Team
	Franca, Keith	
Red Cross Netherlands - Red Cross Roof Repair Project	Jonkers, Carla	
UNICEF-NL - Child Resilience and Protection Project	Moses-Burton, Suzette	Coordinator Sint Maarten
	Roefsema, Marieke	
VNG-I / R4CR - Civil Society Partnership Facility for Resilience Project	Hunink, Rob	Coordinator R4CR
	Sommers, Jose	R4CR / Empowered NGO Platform
	Vermeer, Elger	VNG-I
World Bank		
	Davidse, Koen	Executive Director
	Heemskerk, Frans	Former Executive Director
	Keane, Michelle	Program Manager for the Sint Maarten Recovery, Reconstruction and Resilience Trust Fund
	Wissenburg, Jochem Martin	Assistant to the Executive Director
Emergency Assistance / Early Recovery / Direct Support Implementing Partners		
Qredits	Groeneveld, Elwin	Chief Executive Officer
White-Yellow Cross	Boetekees, Bregje	Operations Manager
Red Cross Early Recovery Projects (Waste Disposal, From Waste to Work, School Meals)	Jonkers, Carla	

	Swarte, Fanny de	
	Wilmers, Yvonne	
UNDP (Housing Project)	Blewitt, Richard	Former Resident Coordinator Port-of-Spain
SMDF (Elderly Project and Community Helpdesk Hope Estate)	Brooks Makhicia	Director
	Franca, Keith	Former Director
UNICEF-NL Child Support Projects	Moses-Burton, Suzette	Coordinator Sint Maarten
	Roefsema, Marieke	
NOC*NSF	Metz, Sjors	
Border control	Falize, D.J.	Head Operations Koninklijke Marechaussee
Public law and order	Kievitsbosch, Rob	Adviser Detention Center Point Blanche
	Mol, Miriam	Public Prosecutor Sint Maarten
Schiphol Group Nederland	Kloosterziel, Kjell	
VNG-I assistance to the (Sint Maarten) Ministry of VROMI	Vermeer, Elger	
Other organisations		
Integrity Chamber	Fuchs, Gabi	
	Pompier, Charna	
K1 Britannia	Schet, Alan	