



Child on Bonaire, St. Eustatius and Saba

Karin Kloosterboer

Children's rights in the Caribbean Netherlands

Summary



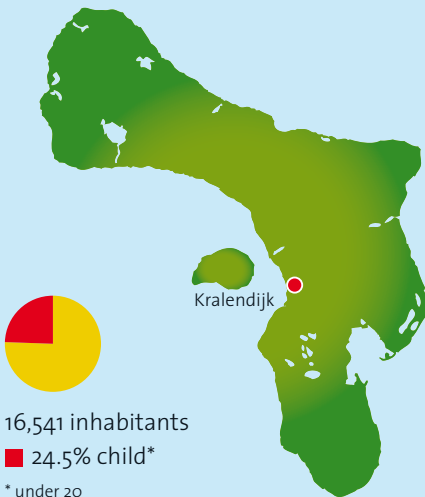
Bonaire



St. Eustatius

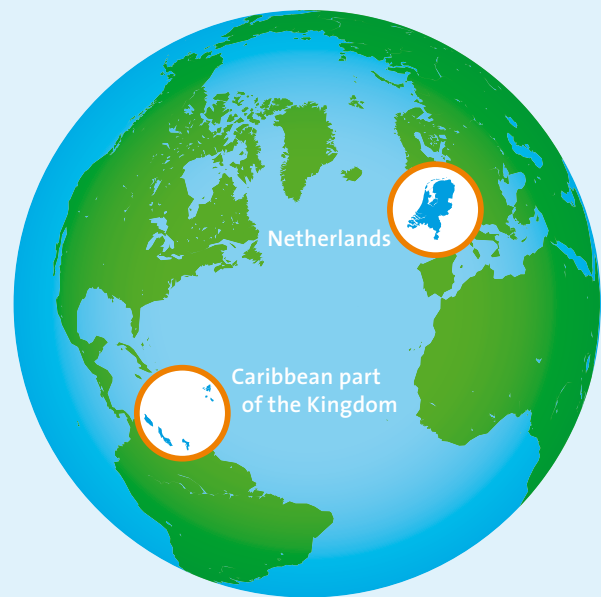


Saba



The **Kingdom of the Netherlands** comprises four countries: the Netherlands, Aruba, Curaçao and St. Maarten. Bonaire, St. Eustatius, Saba have a separate status within the Netherlands. They are called **Caribbean Netherlands**. Together with the countries of Aruba, Curaçao, and St. Maarten they form the **Caribbean part of the Kingdom**.

- Autonomous countries within the Kingdom of the Netherlands. These countries have their own governments. (1, 2 en 4).
- Since 2010 these islands are special municipalities of the Netherlands (3, 5 and 6).



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Introduction

The Dutch Caribbean islands of Bonaire, St. Eustatius and Saba are home to over 5000 children. They spend their youth in an area of the world that is generally seen as a holiday paradise.

Yet these children grow up today in conditions that do not meet the requirements stipulated by the United Nations Convention on the Rights of the Child (hereafter: UNCRC). This unfortunate observation applies to all children's life situations: family and childrearing, education, health care, safety, recreation, play and leisure time, participation, domestic life and household finance. This is the conclusion reached by a study into the circumstances of children on the three Dutch Caribbean islands.¹ The results of this study are described extensively in three separate reports: *Kind op Bonaire*, *Kind op St. Eustatius* and *Kind op Saba* (Dutch only).

'If I were in charge, I would want to change how certain people think. They think too narrowly. Most people have a goal in life and that's what they want to achieve. Even if others sometimes tell you that it's not possible, you will anyway try to achieve your own goal.'

(girl, 16 years, St. Eustatius)

The UNCRC obliges the Dutch government to take proper care of children in the Caribbean Netherlands. To care for them as properly as for children in the European Netherlands, to be precise. The standards that apply to children in the European Netherlands in terms of protection, education, health and health care, safety, domestic life and so on, apply equally to children growing up on Bonaire, St. Eustatius and Saba.

It is not surprising to find that the conditions for children on the islands are inadequate. Experts have been concerned for children growing up there for quite some time already. So far the situation had not been comprehensively surveyed and tested against the UNCRC, however. The political changes that occurred on the islands in 2010 did little to assuage such concerns. The children seemed to drop through the cracks; at any rate, they dropped from view.

This summary offers a sketch of the Dutch Caribbean islands and their children, information about the study, and an overview of the results. The full reports of *Kind op Bonaire*, *Kind op St. Eustatius* and *Kind op Saba* contain all the results.²

¹ In this summary, the islands of Bonaire, St. Eustatius and Saba are also referred to as the Caribbean Netherlands or by their acronym, the BES islands.

² See also www.unicef.nl/koninkrijkskinderen. A Dutch translation of the summary is available.



Three islands

Bonaire, St. Eustatius and Saba are tropical islands in the Caribbean Sea, over 7000 kilometers from The Hague. They are also known by such exotic names as *Divers Paradise*, *The Golden Rock* and *The Unspoiled Queen*.

Bonaire is located in the southern part of the Caribbean Sea. It lies to the east of Aruba and Curaçao, which form the other Leeward Islands in the Kingdom of the Netherlands. St. Eustatius and Saba are located some 800 kilometers to the north, where they form part of the Windward Islands, along with St. Maarten.

Each of the three BES islands has its own characteristics. Bonaire is the largest island, with a surface area of 290 km², and is the most popular holiday destination. Saba leads the entire Kingdom on two points: as the smallest inhabited island and as home to the highest peak (Mount Scenery, 877 meters high). St. Eustatius stands out for housing the largest oil terminal in the Kingdom after Rotterdam, and accommodating seven different churches. Aside from these tourist did-you-knows, there is of course much more to say about these islands.

The Kingdom

Since 2010, the Kingdom of the Netherlands comprises four autonomous countries: the Netherlands, Aruba, Curaçao and St. Maarten. The islands of Bonaire, St. Eustatius and Saba became a direct part of the Netherlands. They are 'public entities', also referred to as special municipalities. To distinguish this part of the Netherlands, the three islands are collectively called the Caribbean Netherlands. For the sake of ease, many people refer to them as the BES islands, after their collective acronym.

Until 10 October 2010, the islands were part of the Netherlands Antilles. This country was dissolved on that day. The six islands in the Caribbean part of the Kingdom are former colonies of the Netherlands.

The children

The Caribbean Netherlands are home to over 5000 children: 4060 on Bonaire, 894 on St. Eustatius and 341 on Saba.³ The children make up about one quarter of the island population. Several nationalities live on the islands, for instance people from the Netherlands, from Curaçao, Aruba and St. Maarten, from Venezuela, Colombia and the Dominican Republic, and on Saba there are many students from the United States. On Bonaire the children mainly speak Dutch and Papiamentu, while on St. Eustatius and Saba the main languages are Dutch and English. Spanish is widely spoken on all three islands.

The rules

The islands' status as public entities makes it possible for different rules to apply in the Caribbean Netherlands than in their European counterpart. It is rather complex to determine when different rules and legislation may and may not be applied, as discrimination is forbidden. Accordingly, the issue has been and still is the topic of much debate, and the island inhabitants sometimes feel disadvantaged. The relationship between the European and the Caribbean Netherlands is still very much under development, with the definitive determination of the islands' status scheduled for 2015, five years after the political changes.

³ Figures as of 1 January 2012.

In 2013, the Netherlands Institute for Human Rights (*College voor de Rechten van de Mens*) issued its recommendation on the implementation of the UNCRC in the Caribbean Netherlands. The Institute states that the essential minimum level of the rights as stipulated in the convention must be guaranteed as quickly as possible, in both the European Netherlands and the Caribbean Netherlands. While it is permitted to choose for different regulations and hence for unequal treatment, this must be justified in an objective manner, and it may not detract from the minimum standards set out in the UNCRC. In its recommendation, the Institute explicates the assessment framework that should be applied here.

The recommendation makes clear that the Dutch government should pursue an equivalent level of protection of children's rights in both the European and Caribbean Netherlands. To do so it may be necessary, or even preferable, to elaborate a policy domain differently in different parts of the Kingdom – just as long as the children's rights are ensured.

Governance

The public entities are comparable to municipalities. An island council consists of elected members, just like a municipal council. The council determines the policy and monitors its implementation. Daily governance is in the hands of the executive council, which consists of the governor (comparable to a mayor) and commissioners (comparable to aldermen). The Minister of the Interior and Kingdom Relations (Dutch acronym: BZK) is the coordinating minister with respect to all that concerns the islands. The various other ministries are responsible for the affairs that concern their own domain. This means that many ministries are involved in matters concerning children. For education, it is the ministry of Education, Culture and Science (OCW), for youth policy it is the ministry of Health, Welfare and Sport (VWS), for poverty alleviation it is the ministry of Social Affairs and Employment (SZW), and for safety and combating crime it is the ministry of Security and Justice (V&J). Other ministries are also involved in matters concerning the islands, such as the ministries of Finance, of Economic Affairs, and of Infrastructure and the Environment. The Kingdom Representative is the principal liaison between the Caribbean and the European Netherlands.

Culture

Culture on a Caribbean island is unlike culture in the European Netherlands. For a start, life is much more of an outdoor affair, and life on a small isolated island will always be different to life in a country that is directly connected to other peoples and countries.

The experts that were consulted as part of the study identify various aspects with regard to culture. They point to the legacy of the past, the islanders' sensitivity with respect to their former overlords, a low self-esteem among the population or even a collective sense of inferiority, and the history of slavery and men's role therein. An awareness and understanding of these aspects is important, as they directly impact the way children are raised, including what is passed on from generation to generation. It can moreover help explain why the improvement of the children's rights situation sometimes requires special measures.





Survey

The survey period ran from the start of 2010 until February of 2013.⁴

From June 2011 to April 2012, several interviewers spoke with 62 children in the Caribbean Netherlands, under supervision of the survey coordinator: 19 children on Bonaire, 21 on St. Eustatius and 22 on Saba.⁵

Additionally, ten young adults were interviewed in 2012 who had grown up on the BES islands but now lived in the European Netherlands.⁶

Over the entire survey period, 107 experts were consulted on the situation of children on the three islands.

Finally, the available literature on the situation of children on Bonaire, St. Eustatius and Saba was analyzed.

The survey activities generated a vast amount of information. In all, 293 sources were consulted, comprising children and youths, experts and the literature. These sources were incorporated in a database. The children, youths and experts made 2331 statements about the situation of children on the islands.

All combined, this information for the first time yields a detailed overview of the situation of children growing up on the Dutch Caribbean islands. While as comprehensive as possible, the picture nevertheless has some gaps. This is mainly due to the lack of official data regarding virtually all domains.

**'A major problem is child maltreatment, both verbally and physically.
You are about to uncover some unpleasant things!'**

(expert)

The circumstances in which the children live and the testing thereof against the UNCRC are extensively described in the three full reports on Bonaire, St. Eustatius and Saba. While many similarities were found in the situation on the three islands, some essential differences emerged as well. These differences motivated the decision to produce three separate reports. The current summary describes the main points of the findings for all three islands.

4 In the same period UNICEF also examined the children's rights situation on the other three islands in the Caribbean part of the Kingdom: the autonomous countries of Aruba, Curaçao and St. Maarten. This study was reported separately. The entire survey of the children's rights situation on all six islands is titled Koninkrijkskinderen. Kinderrechten op de Nederlandse Cariben. Further information about the studies and the six islands is available at www.unicef.nl/koninkrijkskinderen.

5 On Aruba, Curaçao and St. Maarten, 44 children were interviewed as part of the overall UNICEF study. All in all, 106 children across the six islands were interviewed.

6 A total of 27 young adults from across the six islands were interviewed.



Results

The study concentrated on eight aspects in children's lives on the islands that jointly determine their life: family and childrearing, education, health, safety, recreation, play and leisure time, participation, domestic life and household finance.

For each topic, the report first sketches the current situation. This situation is subsequently assessed from three different angles: 1. children and youths, 2. experts and 3. literature. The resulting picture is then tested against the United Nations Convention on the Rights of the Child, which formulates minimum standards for each area of life.

The children, youths and experts sketch pictures of the situation on 'their' island which complement each other.

Most of the children are happy. Because they are eager for life; because they know everyone around and can always drop by to see grandma or a friend after school; because the sun usually shines and the temperature is pleasantly warm; because it is generally safe on the island. But also because they do not know any better or perhaps do by now, but then realize that you simply have to make do with life as it is. Even if they encounter serious problems such as violence and neglect.

Children in the Caribbean Netherlands often grow up in unusual family situations. The family sometimes seems almost infinite, with so many brothers and sisters and especially uncles and aunts, cousins and nephews. Though sometimes there is only mother to count on, or if your mother is still a teenager, your grandmother. And even that can be a reason for happiness: as a young girl proudly says, 'I actually have two mothers'.

Children talk about their island with a mixture of pride and criticism. They are proud of the laidback aspects of life, of the beautiful nature and the intimate community. They are critical about the lack of things to do for them, about the education system and about the stifling nature of a small community.

Youths that moved to the European Netherlands to study or to work can take more distance when describing their life on the islands, but they too have ambivalent feelings. On the one hand they are happy to have escaped the limited development opportunities and the mediocre level of education there. On the other hand, they often feel a strong sense of responsibility for 'home', and a need to return to help develop the island further.

The experts do not mince their words. Professionals from for instance the education sector, police and youth care have long and often impassioned tales to tell with shocking key words such as: domestic violence, serious neglect, abuse, incestuous retardation, destitution, hunger, and recurrently, the physical beating. Physical violence is passed on within family circles, generation after generation. Nevertheless, the experts maintain a nuanced position: 'Of course we do not see everyone. In many cases things are simply fine. But it is hard to put an end to it. People raise their children as they were raised themselves'.

Family and childrearing

Many children are reared in a violent environment, where yelling or beating are the order of the day. The parents that treat their children in this way are often repeating what they learned from their parents. Some parents now realize that violence should not be part of childrearing; but for many it is unclear what the alternatives are. As a result of 'childrearing diffidence', some parents instead leave their children unchecked, who therefore begin to develop unrestrained behavior.

Many families are doing fine, but there are still many parents who do not communicate with their children. Children are not seen and respected as full family members. Many parents are so busy keeping their household financially afloat that they are hardly ever at home. And when they do come home, they are too exhausted to deal with their children. A social safety net, with care and support provided by third parties, is absent. Nowadays grandfathers and grandmothers also need to work to make ends meet. Some children suffer social-emotional neglect. Many of the interviewed children said they wished that their parents had more time for them.

'My mother doesn't cook. She leaves me some money instead. Every day. So I go out to get something to eat. Sometimes I save the money and look around the house for something to eat. Some biscuits or cornflakes, for example. My favorite food is bean soup.'

(boy, 15 years, Bonaire)

Few families are complete. Many mothers raise their children on their own or with a new partner. Fathers are generally absent in childrearing, and in those cases often do not pay any alimony. This means that mothers face the task (financially) alone.

There are many composite families, with siblings from different parents. Teenage pregnancies also occur frequently. These girls, who are sometimes still very young, are obviously not capable of adequately raising their children. If money and support are lacking, then this creates significant problems.

The small community on the island is often supportive of individual residents; but there is another side to this. Nothing can remain private, and there is a lot of gossiping, and a lot of personal shame. Religious faith continues to play a powerful role here. The 'closed' character of the island community creates a complex childrearing situation. Problems often only become apparent after much has already gone amiss, making it difficult to offer help.

'The father beats the mother. When you see that as a boy, you think it's the right thing to do because your father does so as well.'

(youngster)

The situation regarding family and childrearing currently does not meet the minimum requirements stipulated by the UNCRC. Many organizations, including the Youth and Family Centers, are working hard to improve the situation, but it is a long and difficult process. The parents must first of all feel confident that they are capable of raising their children in a positive manner, without violence, to become responsible and respectful citizens.

Additionally, both parents and children need to know that they can rely on support, and that there is no shame in calling on that support. To this end, they must have sufficient confidence in the organizations on the island.

Third-party child care must also improve, and this applies to both day care and after-school care, in their various forms. This is a matter of both quality and availability, also for parents who cannot afford such child care at present.

Protecting children against violence and neglect is already a priority in government policy, and it must remain a priority in order to attain the standards set by the UNCRC. Extra efforts will need to be made in other areas to remedy inadequate situations and to offer children

the safe childrearing environment that the convention envisions. Many of such measures are linked to measures in other policy domains such as combating poverty and providing adequate housing.

Education

The opportunities for education are limited on a small island. On Saba there is just one elementary school and one secondary school. St. Eustatius and Bonaire have several elementary schools, but just one secondary school. None of the islands offer any special education facilities. For virtually all continued education, people need to leave the islands.

Circumstances on the three islands differ substantially, though not so much with respect to the quality of the education. On all three islands there is room for improvement, and with the arrival of education expertise centers and inspectorates, improvements appear to be underway.

On St. Eustatius there is an important issue with the language of education. In elementary school the children are taught in English, but when they progress to secondary school they suddenly need to learn and understand their teachers in Dutch. This is not the language that they are accustomed to.

On Saba the education is in English from elementary school on, while on Bonaire education is conducted in Dutch, English and Papiamentu. The language problems create educational disadvantages which are difficult to remedy.

‘If there was something I could change, then I would change the education system. In secondary school we have lessons in Dutch and need to do our exams in Dutch. In kindergarten and elementary school, everything is in English.’

(girl, 17 years, St. Eustatius)

Many children have behavioral problems that are manifested in school. They often relate directly to the home situation. Schools are generally not equipped to help children with these problems.

Quite a bit of criticism is leveled at the teaching staff, particularly by the experts. They are either too authoritarian and directive or, conversely, do not impose sufficiently clear limits. They use verbal and physical violence, their tenure on the islands is too short, they offer the pupils too little encouragement, and involving the pupils seems unheard of. Of course there are positive exceptions to this picture as well, and these stand out for the positive changes they achieve among children, within a short space of time.

‘The teachers all have their own vision on education. I want to see active teachers, but they are directive. They tell the children what they need to know, and the children need to reproduce what they were told. They are not taught to think for themselves.’

(expert)

The education at present does not meet all the requirements set out in the UNCRC. There are various aspects that demand extra attention, such as the overall quality of education, special education, reducing school dropout rates, attention for the child’s cultural identity and language, how discipline is maintained in school, the opportunities for pupils to develop their talents, access to information, and opportunities to participate in school. Substantial steps are already being taken to improve the situation and bring it more into line with the minimum requirements of the convention.

Fortunately, most children do not let the limited education opportunities on their island constrain their dreams for the future. They hope to conquer the world as a gourmet chef, a professional soccer player, a teacher, physician, hairdresser, lawyer, pilot, businesswoman, and much more. One even intends to become an astronaut.

Health

It is currently unclear how the islands' youthful population is doing with regard to most health areas. This makes it very difficult to adequately respond to health problems and to ensure that the health care services meet the needs. For young children, the medical picture is becoming increasingly complete as they are monitored closely by the consultation center, which resides under the Youth and Family center. This is not the case for the older youth, while this population group does urgently need health-related attention. For example, there are concerns for their sexual health (including sexual violence, teenage pregnancies and sexually transmitted diseases), and for obesity and behavioral habits among youths.

Children are reluctant to contact (family) physicians for help, out of fear that it will quickly become public knowledge across the island. This is a very particular bottleneck.

'I eat what we have at home. It's sort of the Statia diet: a lot of rice, a lot of potato salad, and a lot of chicken. I think you'll find this in most people's homes.'

(girl, 17 years, St. Eustatius)

There is very little care, if any at all, for handicapped children and for children with mental health problems. Naturally, a small island cannot provide for all health care disciplines. To ensure that children do get the care they need, attempts are made to provide this care elsewhere. This sometimes leads to language problems, or problems with the costs.

Much still needs to be done to attain the minimum standards set out by the UNCRC regarding health and health care. The lack of information about practically all health aspects makes it difficult to draw up improvement plans, however.

Preventing health problems is one important attention point, for instance through public education with respect to a healthy lifestyle, including healthy sexual behavior, healthy nutrition, and exercise. Access to health care must improve substantially for the older youth, if this is to meet the UNCRC requirements. Youth care needs to be developed further to enable children to exercise their right to health care. Further challenges pertain to the care for handicapped children and for children that have been victimized, and to protecting children against a wide variety of health risks.

'I think that, because of the culture we have on the islands, parents don't really know how to talk to their children about sexuality.'

(youth)

Safety

Whether a child is able to grow up safely depends on diverse aspects, both in school and out on the street. But safety starts at home, of course. Many children on the islands are confronted by domestic violence or maltreatment. Violence in schools is also a point of concern, and then especially in the relationship between teachers and pupils.

There appears to be little crime in the small communities of Saba and St. Eustatius. On Bonaire crime occurs more widely and even increasingly. Youngsters are involved in criminal activities such as burglary, drugs trade, armed robberies and violence, but it seems to be a small group.

The treatment of youthful delinquents has improved in recent years through the

introduction of three penal responses, of increasing severity. The judicial organizations on the islands have also improved, now operating more on the principle that youth criminal law should be of a pedagogical nature.

‘Many young people take a wrong turn because they have nothing to do. My brother is in prison because he committed a lot of burglaries. He started doing things like that because he didn’t have anything to do.’

(girl, 16 years, Bonaire)

Children on Bonaire feel less safe than those on the other two islands. They also feel that more should be done to tackle youth crime by organizing more leisure time activities for children and youngsters. The assumption is that as long as they are not bored, they won’t turn to crime. Experts fully support that idea.

To get a good picture of safety on the islands would require more up-to-date data. Such data are currently not registered, or not fully or inadequately.

On a number of points, legislation on the islands does not meet the minimum requirements set by the UNCRC. Thus, in the Caribbean Netherlands there is no ban on corporeal punishment. The application of adult criminal law to 16 and 17-year-olds and the option of lifelong imprisonment do not accord with the UNCRC. However, the approach that is currently applied on the islands, with a more specific treatment of youthful offenders, does reflect the philosophy underlying the convention.

Recreation, play and leisure time

Until the age of around 12, life on a small tropical island offers children no end of things to do. Some children and experts even qualify growing up on the islands until that age as idyllic. That is to say, if the children are fortunate enough to have parents or others who have enough time to play with them, to go chasing lizards or to go swimming in the clear blue tropical sea.

Yet from the age of 12 on, most children want to have more entertainment. They want to interact with peers, to undertake exciting activities, to discover the world. Then the world on an island is small and the range of things to do is limited in all areas. For example, the island of Saba has just a few small horizontal areas that allow for sports activities.

‘Many children live on the street. Starting from kindergarten, actually.’

(girl, 16 years, Saba)

For many children, sports is a way of venting their energy and a way of leaving the island once in a while, to compete with children on other islands. Children can engage in a limited number of sports. This is one other consequence of inhabiting a small island. Even where it is possible to form different teams, then these teams offer insufficient scope for further development. The same applies for musical activities and other forms of culture. The offerings and opportunities are limited.

Children’s right to recreation, play and leisure time is under pressure in the Caribbean Netherlands, in several ways; for instance due to a lack of facilities, resources and expertise among community centers, and to other hindrances. Many of these constraints can be solved, insofar as they are not imposed by physical or geographical circumstances. This does require acknowledging the importance of ensuring this right to recreation, play and leisure time, however, and this implies a safe ‘third childrearing environment’, apart from the family and school.

‘Every child has the right to be free and to believe in the things he wants to believe in.’

(boy, 13 years, St. Eustatius)

Participation

Children are generally not offered the opportunity to participate as full citizens. Not at home, not in school, not in the island society. The notion does not fit in with the authoritarian approach to childrearing that is often dominant, both in families and in school. This approach does not stimulate children to be self-sufficient and enterprising, but rather cultivates timidity and a lack of initiative. They wait to be instructed to do something, or for a yell or a slap to stop doing something. Yet at the same time, they are often left to take care of themselves when parental supervision is absent, and certainly when they leave the island for work or study. Then they are suddenly expected to be assertive and to take care of themselves.

Participation by children at home, in school and in their leisure time still requires a lot of attention to arrive at an acceptable level. Respect for children and for their special position should be central to this effort. Tailored to their age and level of development, children should gradually learn to participate in all segments of society.

‘Children should keep quiet and not ask anything. It’s none of your business, as a child.’

(expert)

A number of efforts are currently pursued to help children realize their right to participation. These range from childrearing support (the Positive Parenting Program, or Triple P), and the arrival of a Children’s Ombudsman to ensure more attention for children’s rights (education), to organizational efforts to involve children and youngsters more closely in activities. Properly informing children of their rights can help them find opportunities to participate in society.

‘We really wish to be involved in solving the problems on the island.’

(boy, 15 years, Bonaire)

Domestic life and household finances

There are not enough suitable and affordable dwellings on the islands. Many families therefore have trouble finding proper housing, particularly single-parent families. As a solution, family members often share a home. But in small and overcrowded dwellings, children get no rest and have little privacy. They are unable to do their homework properly, and must sometimes share a bed with a family member. In certain neighborhoods, the general living conditions leave much to be desired.

‘I don’t have my own bedroom. I share my bedroom with my grandmother. It is a big bed, but it’s the principle that matters. My sister sleeps with my mother and my grandaunt has her own room.’

(girl, 17 years, St. Eustatius)

Much of this relates to the difficult financial position that many parents are in. Life on an island is expensive. Almost everything needs to be imported, which inflates the price. Moreover, the lack of public transport makes owning a car almost indispensable. At the same time worker’s wages are relatively low, certainly for people with low qualifications.

‘I don’t know if we actually have homeless people, but a lot of people don’t have much and can do too little for their children.’

(boy, 14 years, Saba)

Parents do not receive child benefit like in the European Netherlands. Fathers that have left the family often do not contribute to the maintenance of their children.

Many parents and single mothers have multiple jobs. Yet even then, many struggle to pay for the monthly rent, utilities, diapers, food and other essentials. The cost of provisions like day care, after-school care, sports or other activities are prohibitive. In extreme cases, there is not enough money to buy (healthy) food or clothes, and children arrive in school hungry. Clearly, this situation does not meet the requirements of the UNCRC.

‘People do not talk about financial problems, out of pride and shame. As a result, poverty remains almost invisible.’

(expert)

All in all

In none of the domains described above does the situation meet the standards stipulated by the UNCRC. The various constraints are closely interconnected, and therefore pose a real risk to the development of children growing up on Bonaire, St. Eustatius and Saba.

To bring the children’s rights situation on the islands into line with the Convention, these domains will need to be tackled simultaneously.

‘If I had a voice in this, then I would tell the government that they should help the youth more. And that they should apply more focus. And should help children that have difficulties at home.’

(boy, 14 years, Saba)



Together is better

It is always easier to say that things are not going well than it is to ensure that they do work out well. The researchers are fully aware of this, and therefore present their findings with all due modesty. This is all the more proper, given the number of people and organizations on the islands that have been doing all they can since a long time.

Nevertheless, the fact is that the current situation does not accord with the UN Convention on the Rights of the Child. Just like it is a fact that absolutely everyone who has anything to do with the situation of children on the islands feels that these children deserve better, and that haste is required. The situation calls for everyone's concern and cooperation, from a shared sense of urgency. It calls for solidarity with all children in the Kingdom of the Netherlands, wherever they may be. The UNCRC provides enough guidance and encouragement for this effort.

Parents, government and organizations

The primary responsibility for children's development lies with the parents. This applies equally in the Caribbean Netherlands. But if parents struggle to fulfill their responsibility, then surrounding organizations and the government must accept and exercise their own direct responsibility.

There are several aspects to the Dutch government's responsibility to offer help, support and improvement.

First there is the distance, both geographically and socio-culturally. Everyone on the islands knows all about the well-intentioned civil servants from The Hague, arriving after a nine-hour flight to explain how things should be done, based on policies and experiences that simply have no basis on the islands. All professionals advocate the application of regulations and tools that do connect to the local situation. Although this isn't easy to do, it is certainly not impossible.

Then there is the phenomenon of the discipline-based ministries in The Hague. Education, health care, security, housing and social affairs are well-defined and clearly separated policy domains, which works well in the political context of The Hague. But in the dynamic context of a small community on an island, where all the domains are interconnected, this compartmentalization is hugely counterproductive. Improving the children's rights situation on the BES islands requires a shared sense of responsibility among all the separate ministries, and an integral approach to policy making and implementation. That the minister of Foreign Affairs and Kingdom Relations should have a powerful coordinating responsibility in this effort is so self-evident that it might almost be overlooked. Jointly with the Kingdom Representative and the Children's Ombudsman, they can and must fulfill this role.

And then there is the temporary nature of everything that ensues from The Hague. Many good initiatives have the character of a plan, a project or a pilot. The funding is temporary, the implementation is often temporary, but what bothers the local professionals most of all is that the posted personnel from the European Netherlands are often temporary as well. Just as they are beginning to understand how things work, they go away again or, as they usually say: they go back. Taking with them, all the knowledge and experience they acquired locally.

Structural development and improvement is difficult for local organizations when, time after time, they feel like they have to start all over again.

Clearly, it isn't easy. A small, relatively closed community on an island is not always amenable to suggestions and interventions. The Caribbean and European Netherlands share a complex history. In the European Netherlands it is also not uncommon to view the family as the cornerstone of society, which organizations and the government should be very cautious to interfere with. Yet a realistic assessment of the limited ability to engineer society – both in the European and the Caribbean part of the country – does not at all detract from the scope and nature of public responsibility.

Different situations, same standards

The situation on the BES islands is evidently unlike that in the European Netherlands. It is tempting, then, to adapt the standards to what is customary, and to what has always been considered acceptable. Of course things are done differently on a tropical island than in cold and rainy Europe. And who are we to impose our western standards on an island community on the other side of the world? Such considerations are extremely pernicious, precisely because they seem so obvious. But it simply isn't right. The standards stipulated in the UNCRC are minimum standards that apply to the whole of the Netherlands. The Dutch government, in both the European and Caribbean domains, carries its own, direct responsibility for the implementation of the convention.

The situation also differs on each of the three islands. That is why the study has resulted in three separate reports, each highlighting the uniqueness of the respective island. These reports provide a basis on which to create or elaborate a coherent youth policy for each island separately. It is necessary in each case to determine what the island needs, how best to work together, and what measures can help improve the situation of the island's children.

Guiding principles

The reports do not offer detailed recommendations. But they do make clear that there is much that needs to be done, and which parties are responsible for doing so.

Ten guiding principles have been formulated, for all people and parties involved in the effort:

- 1 Respect for the own language and culture of the island inhabitants and respect for the children's rights go hand in hand.
- 2 Build on the strength and commitment of people and organizations on the island that have been dedicated to furthering the children's interests for a long time.
- 3 Stimulate the collaboration between people and organizations on the island and with those from the European Netherlands who are responsible for ensuring children's rights.
- 4 Participation of children and youths at all levels: involve the youth in the further mapping out of bottlenecks and the search for solutions.
- 5 Caution in applying additional rules from the European Netherlands.
- 6 Choose an approach that connects to the specific needs of the island and its children.
- 7 Realize that extra efforts and resources are required to remedy inadequate situations.
- 8 Initiate further research in all those areas where knowledge about children is lacking.
- 9 Organize the registration of data about children in areas for which adequate information is currently lacking.
- 10 Accept that it is a matter of great urgency that the children's rights situation is improved within the foreseeable future, so that it complies with the minimum standards.

The study into the children's rights situation in the Caribbean Netherlands has the character of a zero-measurement. This provides a foundation for UNICEF to exercise its mandate: to monitor compliance with the UNCRC. This does not mean that the children's rights organization can now lean back and take it easy. It means instead that the responsible governments and organizations are pressed to roll up their own and their neighbors' sleeves, more than ever. It is in the child's interest.

'When children are given attention, they start to bloom. It is so worthwhile!'

(expert)





The UNCRC

The United Nations Convention on the Rights of the child is also referred to by its acronym, UNCRC. An abbreviated form of the convention is given below.

Article 1 – Definition of the child

The Convention defines a 'child' as a person below the age of 18, unless the laws of a particular country set the legal age for adulthood younger.

Article 2 – Non-discrimination

The Convention applies to all children, whatever their race, religion or abilities; whatever they think or say, whatever type of family they come from. No child should be treated unfairly on any basis.

Article 3 – Best interests of the child

The best interests of children must be the primary concern in making decisions that may affect them. All adults should do what is best for children. When adults make decisions, they should think about how their decisions will affect children. This particularly applies to budget, policy and law makers.

Article 4 – Protection of rights

Governments have a responsibility to take all available measures to make sure children's rights are respected, protected and fulfilled. When countries ratify the Convention, they agree to review their laws relating to children. This involves assessing their social services, legal, health and educational systems, as well as levels of funding for these services. Governments are then obliged to take all necessary steps to ensure that the minimum standards set by the Convention in these areas are being met. They must help families protect children's rights and create an environment where they can grow and reach their potential.

Article 5 – Parental guidance

Governments should respect the rights and responsibilities of families to direct and guide their children so that, as they grow, they learn to use their rights properly. Helping children to understand their rights does not mean pushing them to make choices with consequences that they are too young to handle. Article 5 encourages parents to deal with rights issues 'in a manner consistent with the evolving capacities of the child'.

Article 6 – Survival and development

Children have the right to live. Governments should ensure that children survive and develop healthily.

Article 7 – Registration, name, nationality, care

All children have the right to a legally registered name, officially recognised by the government. Children have the right to a nationality (to belong to a country). Children also have the right to know and, as far as possible, to be cared for by their parents.

Article 8 – Preservation of identity

Children have the right to an identity – an official record of who they are. Governments should respect children’s right to a name, a nationality and family ties.

Article 9 – Separation from parents

Children have the right to live with their parent(s), unless it is bad for them. Children whose parents do not live together have the right to stay in contact with both parents, unless this might hurt the child.

Article 10 – Family reunification

Families whose members live in different countries should be allowed to move between those countries so that parents and children can stay in contact, or get back together as a family.

Article 11 – Kidnapping

Governments should take steps to stop children being taken out of their own country illegally. This article is particularly concerned with parental abductions.

Article 12 – Respect for the views of the child

When adults are making decisions that affect children, children have the right to say what they think should happen and have their opinions taken into account. The Convention encourages adults to listen to the opinions of children and involve them in decision-making – not give children authority over adults.

Article 13 – Freedom of expression

Children have the right to get and share information, as long as the information is not damaging to them or others. In exercising the right to freedom of expression, children have the responsibility to also respect the rights, freedoms and reputations of others. The freedom of expression includes the right to share information in any way they choose, including by talking, drawing or writing.

Article 14 – Freedom of thought, conscience and religion

Children have the right to think and believe what they want and to practise their religion, as long as they are not stopping other people from enjoying their rights. Parents should help guide their children in these matters.

Article 15 – Freedom of association

Children have the right to meet together and to join groups and organisations, as long as it does not stop other people from enjoying their rights.

Article 16 – Right to privacy

Children have a right to privacy. The law should protect them from attacks against their way of life, their good name, their families and their homes.

Article 17 – Access to information

Children have the right to get information that is important to their health and well-being. Governments should encourage mass media – radio, television, newspapers and Internet content sources – to provide information that children can understand and to not promote materials that could harm children.

Article 18 – Parental responsibilities

Both parents share responsibility for bringing up their children, and should always consider what is best for each child. Governments must respect the responsibility of parents for providing appropriate guidance to their children. The Convention places a responsibility on governments to provide support services to parents, especially if both parents work outside the home.

Article 19 – Protection from all forms of violence

Children have the right to be protected from being hurt and mistreated, physically or mentally. Governments should ensure that children are properly cared for and protect them from violence, abuse and neglect by their parents, or anyone else who looks after them.

Article 20 – Children deprived of family environment

Children who cannot be looked after by their own family have a right to special care and must be looked after properly, by people who respect their ethnic group, religion, culture and language.

Article 21 – Adoption

Children have the right to care and protection if they are adopted or in foster care. The first concern must be what is best for them. The same rules should apply whether they are adopted in the country where they were born, or if they are taken to live in another country.

Article 22 – Refugee children

Children have the right to special protection and help if they are refugees (if they have been forced to leave their home and live in another country), as well as all the rights in this Convention.

Article 23 – Children with disabilities

Children who have any kind of disability have the right to special care and support, as well as all the rights in the Convention, so that they can live full and independent lives.

Article 24 – Health and health services

Children have the right to good quality health care – the best health care possible – to safe drinking water, nutritious food, a clean and safe environment, and information to help them stay healthy. Rich countries should help poorer countries achieve this.

Article 25 – Treatment in care

Children who are looked after by their local authorities, rather than their parents, have the right to have these living arrangements looked at regularly to see if they are the most appropriate. Their care and treatment should always be based on ‘the best interests of the child’.

Article 26 – Social security

Children – either through their guardians or directly – have the right to help from the government if they are poor or in need. The Dutch government made a reservation on this article: children have no independent right to social security, but only through their parents.

Article 27 – Adequate standard of living

Children have the right to a standard of living that is good enough to meet their physical and mental needs. Governments should help families and guardians who cannot afford to provide this, particularly with regard to food, clothing and housing.

Article 28 – Right to education

All children have the right to a primary education, which should be free. Wealthy countries should help poorer countries achieve this right. Discipline in schools should respect children's dignity. For children to benefit from education, schools must be run in an orderly way – without the use of violence. Any form of school discipline should take into account the child's human dignity. Therefore, governments must ensure that school administrators review their discipline policies and eliminate any discipline practices involving physical or mental violence, abuse or neglect.

Article 29 – Goals of education

Children's education should develop each child's personality, talents and abilities to the fullest. It should encourage children to respect others, human rights and their own and other cultures. It should also help them learn to live peacefully, protect the environment and respect other people. Children have a particular responsibility to respect the rights of their parents, and education should aim to develop respect for the values and culture of their parents.

Article 30 – Children of minorities

Minority or indigenous children have the right to learn about and practice their own culture, language and religion. The right to practice one's own culture, language and religion applies to everyone; the Convention here highlights this right in instances where the practices are not shared by the majority of people in the country.

Article 31 – Leisure, play and culture

Children have the right to relax and play, and to join in a wide range of cultural, artistic and other recreational activities.

Article 32 – Child labour

The government should protect children from work that is dangerous or might harm their health or their education. Children's work should not jeopardize any of their other rights, including the right to education, or the right to relaxation and play.

Article 33 – Drug abuse

Governments should use all means possible to protect children from the use of harmful drugs and from being used in the drug trade.

Article 34 – Sexual exploitation

Governments should protect children from all forms of sexual exploitation and abuse. This provision in the Convention is augmented by the Optional Protocol on the sale of children, child prostitution and child pornography.

Article 35 – Abduction, sale and trafficking

The government should take all measures possible to make sure that children are not abducted, sold or trafficked. This provision in the Convention is augmented by the Optional Protocol on the sale of children, child prostitution and child pornography.

Article 36 – Other forms of exploitation

Children should be protected from any activity that takes advantage of them or could harm their welfare and development.

Article 37 – Detention and punishment

No one is allowed to punish children in a cruel or harmful way. Children who break the law should not be treated cruelly. They should not be put in prison with adults, should be able to keep in contact with their families, and should not be sentenced to death or life imprisonment without possibility of release.

Article 38 – War and armed conflicts

Governments must do everything they can to protect and care for children affected by war. Children under 15 should not be forced or recruited to take part in a war or join the armed forces. The Convention's Optional Protocol on the involvement of children in armed conflict further develops this right, raising the age for direct participation in armed conflict to 18 and establishing a ban on compulsory recruitment for children under 18.

Article 39 – Rehabilitation of child victims

Children who have been neglected, abused or exploited should receive special help to physically and psychologically recover and reintegrate into society. Particular attention should be paid to restoring the health, self-respect and dignity of the child.

Article 40 – Juvenile justice

Children who are accused of breaking the law have the right to legal help and fair treatment in a justice system that respects their rights. Governments are required to set a minimum age below which children cannot be held criminally responsible and to provide minimum guarantees for the fairness and quick resolution of judicial or alternative proceedings.



Colophon

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This summary is part of the following series:

- *Kind op Bonaire. Kinderrechten in Caribisch Nederland*
- *Kind op St. Eustatius. Kinderrechten in Caribisch Nederland*
- *Kind op Saba. Kinderrechten in Caribisch Nederland*
- *Kind op Bonaire, St. Eustatius en Saba. Kinderrechten in Caribisch Nederland. Samenvatting*

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More than 5000 children grow up on Bonaire, St. Eustatius and Saba. These islands became part of the Netherlands in 2010. Together they form what is now called Caribbean Netherlands.

What is it like for children to grow up in Caribbean Netherlands?

How does this situation relate to the requirements of the UN Convention on the Rights of the Child?

The full reports of *Kind op Bonaire*, *Kind op St. Eustatius* and *Kind op Saba* answer these questions. They describe the results of a study into the situation of children on the islands. This summary presents the main findings for the three islands.

UNICEF did this survey to get a complete picture of the situation of the children. The survey was conducted between early 2010 and the beginning of 2013. It maps all the aspects of children's life on the islands. To this effect children and young people themselves were interviewed, experts were consulted and literature was reviewed. The situation of children is checked against the standards of the UN Child Rights Convention. The minimum requirements of this convention apply to all children in the Netherlands, including the children in Caribbean Netherlands.



Koninkrijkskinderen

Kinderrechten op de Nederlandse Cariben

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