

**Letter of 26 February 2021 from the Minister of Foreign Affairs and the Minister of Defence, on behalf of the Council of Ministers for the Kingdom, to the President of the House of Representatives, setting out the government's response to AIV advisory report no. 116: 'Security and the legal order in the Caribbean'**

The Council of Ministers for the Kingdom hereby presents its response to advisory report no. 116 'Security and the legal order in the Caribbean' by the Advisory Council on International Affairs (AIV). It also answers three of the written questions relating to the AIV advisory report that were submitted by members of parliament Maarten Groothuizen and Antje Diertens, both of the Democrats '66 party (ref. 2020Z19232).

The Council of Ministers for the Kingdom thanks the AIV for its detailed analysis and carefully formulated recommendations. Although the Ministries of Defence and Foreign Affairs asked the AIV for its advice, it has made recommendations that go beyond the ministries' remit and responsibilities. To ensure a proper response to the advisory report, it has been decided that this should come from the Council of Ministers for the Kingdom.

The AIV employs a broad definition of security and uses human security as a conceptual framework centred on the values of human dignity and wellbeing. The aim of the countries of the Kingdom is to achieve a safe and secure society for the people of the Kingdom and, in this specific case, for the people of the Caribbean parts of the Kingdom. This is a region that faces many challenges capable of undermining people's sense of safety and security. The AIV's recommendations are therefore very valuable in this context. This letter to parliament will deal with these recommendations along three thematic lines. First, we will consider Kingdom relations. Second, we will focus on cooperation in the areas of defence, law enforcement and ecological security. And, finally, we will deal with international cooperation.

This letter also refers to a recent study carried out by InSight Crime, an international crime investigation and analysis agency, on behalf of the Ministry of Foreign Affairs. Their research dealt with transnational organised crime in Latin America and its links to and effects on the Kingdom. Naturally, this is a different type of study from the AIV's advisory report and is based mainly on investigative journalism. As the subjects of security and international cooperation are closely related, we have decided to enclose not only the AIV's advisory report but also the InSight Crime report.

### **General**

The Ministry of Foreign Affairs and the Ministry of Defence asked the AIV to provide an assessment of how the threat situation in the Caribbean is likely to evolve over the next 10 years. The AIV was asked to include an assessment of how this will affect the foreign relations and security of the Kingdom of the Netherlands in general and the autonomous countries of Aruba, Curaçao and St Maarten ('the Caribbean countries') in particular. The AIV was asked to focus specifically on geopolitics in Latin America and the Caribbean, drug trafficking and other transnational crime, and climate change. It was also asked to advise on how the Kingdom should prepare for the risks and threats associated with these developments, partly so that it could take advantage of the opportunities provided by international cooperation.

In its report, the AIV sheds light on the present and expected international security threats in the Caribbean. It explains the various threats in the region that affect the security of the Caribbean countries. Among the topics it examined are physical, territorial, environmental and economic security, rule-of-law issues, and sustainable development. The AIV also looked inwards. It notes that the Netherlands bears primary responsibility within the context of the Kingdom, for putting and

keeping its own house in order, together with the Caribbean countries, in terms of safeguarding human rights, providing good governance and enforcing the law.<sup>1</sup> Security efforts should form an integral part of a broader foreign policy agenda, in which human rights, economic development and security are interlinked.

InSight Crime's main conclusion is that the threat posed by transnational organised crime linked to Latin America is serious enough to potentially jeopardise the national security of the countries in the Kingdom. This is partly due to the increase in the cocaine trade, the associated revenue model and the transnational, socially corrosive effects this type of crime has within the Kingdom. The report notes that a key element of a successful approach is 'upstream disruption' in Latin America. Besides measures of a reactive nature, InSight Crime emphasises the need to strengthen national resilience, i.e. the Kingdom's ability to tackle transnational organised crime. The report makes recommendations for a more effective and integrated approach, information sharing and closer international cooperation.

The Council of Ministers for the Kingdom endorses the view propounded by the AIV and InSight Crime that security developments in Latin America and the Caribbean necessitate an active and committed approach by the Netherlands and the Caribbean countries. This approach should be placed within the framework of the Charter and the common interest of the four countries of the Kingdom in close cooperation. The request for advice to the AIV dates from 23 April 2019. Since then, cooperation between the countries of the Kingdom has broadened and deepened as a result of the severe social impact of the COVID-19 pandemic in all four countries. Aruba, Curaçao and St Maarten have received liquidity support since April 2020 to limit the impact of the pandemic. The third tranche of support for 2020 was agreed with them in combination with a specific package of measures aimed at implementing structural reforms ('reform packages'). The process of agreeing the reform packages was also taken as an opportunity taken to strengthen cooperation within the Kingdom and intensify measures to enhance security and law enforcement.<sup>2</sup>

The AIV emphasises that the threats facing the Kingdom are urgent and must be tackled as a matter of priority. The governments of the countries of the Kingdom recognise this urgency. The reform packages for each country can serve as an important basis for further security cooperation. In the year ahead, the four countries, together with the relevant ministries and agencies, will keep in close contact with each other to decide how best to tackle the Kingdom's security vulnerabilities and work together to build a secure and future-proof Kingdom.

Like the AIV, the Council of Ministers for the Kingdom considers that the Charter, the Acts agreed by common consent between the constituent parts of the Kingdom (known as consensual Kingdom Acts), and the associated regulations provide sufficient scope for close, effective cooperation. However, account must be taken of the constitutional arrangements and the changing reality in which the four countries find themselves. Closer cooperation within the Kingdom may be at odds with the division of responsibilities in the Charter. The reform packages for the individual Caribbean countries provide an additional framework for cooperation that is more intensive and less open-ended, making it important to engage in transparent and constructive consultations in order to strengthen these countries in a lasting way. Also relevant is the motion submitted by MP Ronald van Raak<sup>3</sup> concerning determination of the responsibilities of the individual countries and of the Kingdom, the implementation of which is being prepared. To implement this motion, the State Secretary for the Interior and Kingdom Relations proposed the joint establishment of an official

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<sup>1</sup> Safeguarding law enforcement is not mentioned as such in the Charter for the Kingdom ('the Charter'). Article 43, paragraph 2 of the Charter provides that the safeguarding of legal certainty is a Kingdom affair.

<sup>2</sup> Parliamentary Papers II, 2020/21, 35 420, no. 177 (Curaçao), no. 186 (Aruba) and no. 203 (St Maarten).

<sup>3</sup> Parliamentary Papers, House of Representatives, 2018/2019, 35 099, no. 23.

working group to the prime ministers of Aruba, Curaçao and St Maarten. This proposal met with their agreement. However, the working group has not yet met because of the current situation in the four countries, particularly with regard to the COVID-19 pandemic.

### **Kingdom relations**

The AIV makes various recommendations to the effect that a higher priority should be given to Kingdom relations by the Dutch government and that the role of the Council of Ministers for the Kingdom should be enhanced. It argues that this will require closer cooperation between the countries of the Kingdom in the areas of security and the rule of law. The AIV makes concrete proposals for a long-term socioeconomic plan, a policy secretariat at the Council of Ministers for the Kingdom, the drafting of a new Kingdom Act and authority for the Minister of Justice and Security to issue instructions. In doing so, it points out that the existing possibilities afforded by the Charter should be used to implement, for preventive purposes, the responsibilities laid down for security and the rule of law. The questions asked by MPs Maarten Groothuizen and Antje Diertens refer to the establishment of an institute for the promotion of human rights (question 6), the use of the safeguarding function and internationally accepted human rights standards (question 7) and, finally, the steps taken, particularly together with the authorities of Curaçao, to make the supervision of the islands more effective (question 8).<sup>4</sup> The answers to these questions have been included in the passages below.

In the 2017-2021 coalition agreement 'Confidence in the Future', the government stressed the importance of close ties, cooperation and shared responsibility within the Kingdom. The Dutch government's focus on Kingdom relations has only increased as a result of the unstable security situation in Latin America and the consequences of the COVID-19 pandemic. The ties between the countries of the Kingdom are close. This is exemplified by the many existing consultation structures (including the Judicial Four-party Consultation, the Kingdom Conference on Foreign Relations, the Interparliamentary Kingdom Consultation and the Civil Service Meetings on Draft Legislation for Kingdom Relations).

Security, law enforcement and the rule of law are matters that are primarily the autonomous responsibility of the Caribbean countries. Nonetheless, the operational and practical need for cooperation is great and is recognised by all four countries. Close cooperation takes place in various contexts and forms, for example in the case of criminal investigations through the Joint Criminal Investigation Team (RST), the Board of Chiefs of Police, the Royal Military and Border Police (KMar) Flexpool, the Caribbean Coastguard (KWCARIB), the Public Prosecution Services and the Joint Court of Justice as well as between the intelligence and security services.

This is significantly strengthening part of the law enforcement sector. Other areas in which there is cooperation and support are police training, efforts to counter the harmful effects of serious and organised crime on society, efforts to strengthen the immigration system and criminal investigation system, military assistance and border control. In addition, the Law Enforcement Council is charged with monitoring the quality of all segments of the criminal justice system and the cooperation between the countries in the criminal justice field, and makes recommendations to that end.<sup>5</sup> Within the framework of numerous existing arrangements and consultative structures, the four countries can seek ways of organising their partnership more efficiently and, if necessary, intensifying it, which is also an aim of the reform packages for the individual countries.

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<sup>4</sup> Parliamentary Papers, House of Representatives, 2020/21 session, 2020Z19232.

<sup>5</sup> Aruba is not a party to the legislation establishing the Law Enforcement Council of Curaçao and St Maarten and of Bonaire, St Eustatius and Saba (Kingdom Act establishing the Law Enforcement Council) and regulating its tasks and powers.

The AIV advisory report was discussed in the Judicial Four-Party Consultation (JVO) on 14 January 2021, at which time it was emphasised that wide-ranging cooperation on law enforcement is already taking place on a large scale. The follow-up actions to be taken in response to the AIV's advisory report will be discussed in the JVO.

The Council of Ministers for the Kingdom views the AIV's recommendations as an encouragement to continue on this course. A long-term socioeconomic plan for increasing the countries' resilience in the event of future crises has been put in place by the Kingdom Act establishing the Caribbean Agency for Reform and Development (COHO) and the underlying individual reform packages, in combination with the provision of multiannual financial support. Economic developments also affect the security of the Caribbean countries. The Council of Ministers for the Kingdom confirms the importance of a diversified economy in which tourism continues to play a major role. Frameworks for economic, financial, social and institutional reforms have therefore been agreed with Aruba, Curaçao and St Maarten in their individual reform packages. The aim is to make the Caribbean countries stronger and more resilient. Respect for the rule of law is a precondition for economic development and contributes to sustainable public finances.

As the AIV rightly observes, the existence of a close-knit community of individuals, businesses and civil society organisations can also enhance resilience. It was in this spirit that the Dutch trade mission to Curaçao, *Bon Bini for Business*, took place in January 2019. In recent years it has also become apparent that this solidarity also exists among ordinary people. Examples are the support provided by the Netherlands, Aruba and Curaçao to St Maarten after Hurricane Irma, the food aid provided by both private institutions and individuals in times of shortage and, most recently, Jandino Asporaat's fundraising initiative, 'Together One Kingdom', which managed to raise over €1 million in connection with the COVID-19 pandemic. Moreover, many hundreds of students from the Caribbean countries come to the Netherlands to study at Dutch educational institutions. The work of the Prins Bernhard Cultuurfonds and the Dutch Caribbean Nature Alliance are also examples of the solidarity exhibited by the residents of the various countries of the Kingdom.

The Council of Ministers for the Kingdom endorses the AIV's conclusion that there is a need for a Kingdom-wide approach to national and international security issues. This requires overall cooperation and coordination within the Kingdom, specifically with regard to regional threats, instability and security. To meet this need, the idea of holding regular Kingdom consultations is being considered. A greater role for the Council of Ministers for the Kingdom and the establishment of a policy secretariat are not considered feasible because of the constitutional arrangements and the manner in which the Council is organised. It would be preferable to make better use of the possibilities afforded by existing structures rather than set up new institutions. This would avoid institutional overlap and extra demands on relatively limited administrative resources.

As regards the values of human rights, legal certainty and good governance enshrined in article 43 of the Charter, the Council of Ministers for the Kingdom shares the AIV's view that the main priority should be to seek cooperation in order to identify and address problems in these areas and implement solutions in good time. It would be preferable in this connection to follow the path of mutual consultation and cooperation. Under the Charter, administrative oversight instruments should be used by the Kingdom only as a last resort. As the AIV points out, the Kingdom's safeguarding role can be viewed in a broader perspective than merely that of unilateral intervention in the governance of the Caribbean countries. It is recommended that the four countries look for ways of improving the structure of cooperation in the areas of human rights, legal certainty and good governance, for example in the course of implementing the Van Raak motion. This applies, for example, to protection and asylum procedures, prison conditions and oversight provisions.

The AIV's recommendation that a draft be made for a consensual Kingdom Act will be included by the Council of Ministers for the Kingdom in its discussions of this subject. This also applies to the specific themes mentioned by the AIV in this connection, such as the establishment of an institute to promote human rights throughout the Kingdom. The Council of Ministers for the Kingdom is not in favour of the Minister of Justice and Security having authority to issue instructions regarding the fundamental human rights and values set out in article 43 of the Charter. Granting such authority to an individual would not be in keeping with the spirit of the Charter.

### **Defence, coastguard, law enforcement and ecological security**

The AIV makes a number of specific recommendations about defence, law enforcement climate change and ecological security. For example, it recommends that the entire security sector in the Caribbean countries be permanently strengthened. This should apply to both law enforcement and the deployment of the coastguard and navy. The AIV also states that expansion of presence of elements of the Defence organisation is indispensable. Moreover, the AIV calls on the Netherlands to offer the Caribbean countries more help in preserving the marine ecosystem, diversifying the economy and increasing their resilience to the local effects of climate change. It states that the armed forces must make allowance for the need to provide more frequent and larger-scale support for emergency relief operations in the Caribbean as a result of extreme weather conditions, even outside the regular hurricane season.

The Council of Ministers for the Kingdom acknowledges the observations and recommendations made by the AIV. The four countries have already taken concrete measures to implement them, some of which are explained below. In those cases where the recommendations are not yet being implemented, the Council of Ministers for the Kingdom feels supported by the AIV's report in its efforts to further investigate an appropriate response to threats, present and future.

#### *Defence*

The Defence organisation's task of guaranteeing territorial integrity, promoting the international legal order and supporting the local authorities extends to the Caribbean part of the Kingdom as well. It performs these duties on a daily basis: through the maintenance of a forward presence, counter-drug operations and the provision of various forms of military assistance (e.g. search and observation tasks, as well as maintenance of public order and security under the supervision of the Caribbean authorities) and emergency assistance. The AIV argues that international security developments require an active and committed approach by the Netherlands. The Council of Ministers for the Kingdom agrees with the AIV that developments in the Caribbean region should prompt a reconsideration of the scope of the role and deployment of the Defence organisation. The Ministry of Defence, in close cooperation with the Ministry of Foreign Affairs, will therefore draw up a security policy for the Caribbean region to ensure that it can continue providing an appropriate response to present and future threats. The Caribbean countries will be involved in drafting this policy.

Certain measures for strengthening the security sector that are in line with the AIV's recommendations have been discussed in the Council of Ministers for the Kingdom. For example, the Netherlands has decided to contribute to measures designed to put the Aruban and Curaçaoan militias (ARUMIL and CURMIL) on a more professional footing. The Netherlands is also contributing to the social training programme in Curaçao and Aruba, which is intended to provide disadvantaged young people with a better start in life and prepare them for the labour market. In addition, the Dutch government is making structural funds available from the reform packages in order to strengthen the rule of law in the individual countries. Money has been earmarked to enable the Royal Military and Border Police, Dutch Customs and the Caribbean Coastguard to provide further assistance to the national agencies in strengthening border control. In consultation with the

Caribbean countries, the Royal Military and Border Police will take on more staff, with a view to strengthening the information-driven action of the national agencies concerned, particularly their analytical, enforcement, investigation and intelligence-gathering capabilities. Twinning will also be used to arrange for knowledge transfer at the national agencies. This will effectively put the cooperation with the national agencies on a more permanent footing and optimise their capabilities.

The provision of military assistance, the procedures for which have been simplified in recent years, will remain a priority of the Defence organisation in the Caribbean in the years ahead. Such assistance will be tailored to the needs and requests of the Caribbean countries. Specialist capabilities of the armed forces are regularly deployed in the Caribbean part of the Kingdom to provide military assistance to the civil authorities. In the near future the Defence organisation intends to add explosive ordnance disposal capability to the simplified procedure for the provision of military assistance.

The Council of Ministers for the Kingdom also recognises that the armed forces must make allowance for the need to provide more frequent and larger-scale support to emergency relief operations in the Caribbean, as the AIV recommends. We still vividly remember the devastating effects of Hurricane Irma in 2017 and Hurricane Dorian in 2019. To improve the large-scale support offered by the Defence organisation to emergency relief operations in the Caribbean, the Ministry of Defence is enhancing its planning and preparedness. The threat analysis in the Defence Vision 2035 now includes 'unpredictable natural threats'. Although the Defence organisation is well aware of this threat, its capabilities in terms of personnel, equipment and funding are not unlimited. It will therefore have to make choices, even in the case of one-off upscaling.

#### *Law enforcement*

The Council of Ministers for the Kingdom agrees with the AIV that the entire security sector in the Caribbean countries must be permanently strengthened in the interests of the public. Various initiatives have been and are being taken for this purpose. Cooperation between the countries of the Kingdom in matters of law enforcement as well as operational cooperation between the law enforcement agencies occurs on a large scale. Continuation of this cooperation (and hence reinforcement of the security sector) requires further investment in the Caribbean countries. Since 2016, the Dutch government has invested in and expanded the capacity of the Joint Criminal Investigation Team (RST), the Public Prosecution Services and the Joint Court of Justice to allow for the adoption of a broad approach to efforts to counter the harmful effects of serious crime and corruption on St Maarten (and, to some extent, Curaçao as well). The group carrying out this operational cooperation (known as the TBO Team) has been funded on a temporary basis until the end of 2021. The Dutch government has decided to make funds available as of January 2022 to transition away from this temporary, project-based approach to an approach designed to strengthen the organisations concerned on a permanent basis.<sup>6</sup> It has also created scope in the individual reform packages for this approach to be adopted on a broader scale in all three Caribbean countries.

Like the AIV's advisory report, the InSight Crime report advocates structural improvements and the adoption of a more comprehensive approach to combating organised crime. The Council of Ministers for the Kingdom endorses the importance of an comprehensive approach for the Caribbean part of the Kingdom. This is already partly reflected in the new 2019 Protocol for cooperation on criminal investigations.<sup>7</sup> In a letter to parliament setting out plans for a broad offensive against organised crime and its harmful effects on society, the Dutch government has explained what measures are being taken to strengthen this approach in the Caribbean part of the

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<sup>6</sup> Parliamentary Papers, House of Representatives, 2020/2021, 35 570 IV, no. 13.

<sup>7</sup> Government Gazette 2019, 38964.

Kingdom as well.<sup>8</sup> The focus is on information sharing, border control and measures to tackle money laundering. To improve information sharing within the Kingdom between all the different partners, funding is being provided for extra capacity and, where possible, the removal of obstacles, for example by amending local legislation. In addition, the network of diplomatic missions in the Western Hemisphere and their staff of diplomats and specialist police, customs and defence attachés will be used for the purposes of information analysis and maritime domain awareness.

Proper protection must also be provided to ensure that drugs, weapons, criminals and undocumented migrants cannot be brought ashore in the Caribbean part of the Kingdom. One area of investment is border control, which is to be enhanced with the early replacement of the shore-based radar system. This can improve the response time and effectiveness of the coastguard. Finally, efforts are being made with the partners concerned to tackle money laundering in Bonaire, St Eustatius and Saba (the BES islands), which form part of the Netherlands. For example, the capacity to carry out financial investigations is being increased, and a special anti-money laundering officer is to be appointed to the BES Public Prosecution Service for a term of three years.

The establishment of the Dutch Multidisciplinary Intervention Team (MIT) will also play an important role in the national and international approach to tackling organised crime and the harm it causes to society. The Dutch government intends the MIT to work with and supplement the efforts of the National Police in permanently disrupting criminal operations at national and international level. The MIT will support and work with the existing intelligence and investigation teams of the police, the Defence organisation, the Public Prosecution Services, the Tax and Customs Administration, the Fiscal Information and Investigation Service (FIOD) and other national and international enforcement, supervision and investigation services engaged in combating subversive crime.

#### *Coastguard*

The Council of Ministers for the Kingdom also recognises the importance of information-driven action, intelligence sharing and continuous maritime domain awareness to the Caribbean Coastguard (KWCARIB). Over the next few years, equipment will be replaced at KWCARIB as part of the transition to an information-driven maritime enforcement organisation. This includes the further development of the Maritime Information Hub. In the near future, joint border control teams will mount multidisciplinary operations at sea and air borders. KWCARIB is also being strengthened through the addition of extra staff to enable it to mount independent, information-driven operations around the clock in the maritime domain. Collaboration and information sharing between Dutch Customs, the Royal Military and Border Police and the national agencies will help to strengthen air and sea border surveillance.

#### *Ecological security*

The AIV's recommendations on marine ecology and climate change touch on the autonomous responsibility of the Caribbean countries within their exclusive economic zones (EEZ) and territorial waters. Cooperation is also possible and desirable with regard to this issue. Indeed, this is already happening in certain areas: for example, the countries within the Kingdom, with the exception of Aruba, are working together on the management of marine biodiversity and fisheries within the Kingdom's EEZ. Moreover, the Dutch Caribbean Nature Alliance provides an important framework for cooperation between the organisations that manage the nature reserves and parks in the Caribbean Netherlands (the islands of Bonaire, St Eustatius and Saba) and the Caribbean countries of the Kingdom (the islands of Aruba, Curaçao and St Maarten). This cooperation will be strengthened under the Nature Conservancy and Environmental Policy Plan for the Caribbean Netherlands.<sup>9</sup>

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<sup>8</sup> Parliamentary Papers, House of Representatives, 2019/2020, 29 911, no. 281.

<sup>9</sup> Parliamentary Papers, House of Representatives, 2019/2020, 33 576, no. 190.

Biodiversity too is an area in which the Kingdom is active both internationally and in the Caribbean region on the basis of treaty obligations and partnerships.

### **International cooperation**

The AIV states that the Kingdom should be expected to make a major contribution to regional development in Latin America and the Caribbean, for example within the framework of the EU. It also recommends continuing the cooperation with the United States, France, the United Kingdom and countries in the region in the fight against drugs. Insight Crime makes a similar recommendation and states that multinational cooperation is essential to maximising the commitment to upstream disruption. Targeted disruption of the drug trade in Latin America and the Caribbean prevents large consignments of drugs from reaching the Netherlands. This requires close cooperation with national and multilateral partners in the Western Hemisphere and Europe. The AIV also recommends that the Kingdom, as one of the driving forces behind the Treaty of San José, should urge more of the signatory countries to ratify it, with a view to combating the drug trade in the Caribbean. If necessary, the Kingdom must also strengthen cooperation with the Caribbean Community countries in specific areas, for example information sharing.

The Council of Ministers for the Kingdom agrees that both closer international cooperation and a comprehensive approach within the Kingdom are needed in order to combat transnational organised crime. Coordinated intervention in different areas can make the Kingdom as a whole less attractive to drug criminals. However, it should not be forgotten that the geographical location of the Caribbean countries makes them vulnerable to the possible side-effects of an upstream disruption approach. Next year, the relevant ministries and agencies of the countries of the Kingdom will identify opportunities for further international cooperation. This can be done, for example, through knowledge exchange and port training programmes, but also by involving the private sector.

The Council of Ministers for the Kingdom endorses the AIV's findings in connection with geopolitical developments. The current Dutch government is closely monitoring developments in neighbouring Venezuela. In view of Venezuela's geographical proximity and economic links, the government is cooperating closely with Aruba, Curaçao and Bonaire, for example on the subject of irregular migration. And in the EU and other forums, the Kingdom is working with allies to promote its desired policy of exerting pressure on Venezuela while also engaging it in dialogue. Within the EU, this has resulted in the introduction of sanctions targeting high-ranking individuals for violating human rights and undermining democracy. Another development has been the establishment of the International Contact Group (ICG), of which the Netherlands is an active member. The ICG, which is composed of a number of European and Latin American countries, is endeavouring to find a political solution to the crisis in Venezuela.

The AIV recommends that the Netherlands make a greater contribution to promoting governance based on the rule of law and sustainable, inclusive development in Latin America and the Caribbean. The policy of the last three Dutch governments has been to phase out development programmes. The Kingdom has built up a broad relationship with certain countries in the region, with a focus on sustainable development, economic cooperation, human rights and developing the rule of law. In Colombia, the Kingdom is promoting the implementation of the peace agreement signed in 2016 between the Colombian government and the Fuerzas Armadas Revolucionarias de Colombia (FARC). The Kingdom is also working with Colombia on waterways and ports, including projects aimed at climate change adaptation and the circular economy, for example the transition from an economy with a strong dependence on coal to a sustainable economy. The Dutch embassy is also helping to protect and promote human rights, with the emphasis on freedom of the press, the safety of human rights defenders and LGBTI rights. Strengthening relations with Suriname is also a priority for the entire Kingdom. Since the Santokhi government took office in July 2020, the Kingdom and Suriname

have taken steps to maintain and strengthen mutual ties.<sup>10</sup> The countries in the Kingdom also work with other countries such as the Dominican Republic, Panama and Costa Rica in the fields of trade, maritime communications and broad knowledge exchange.

The Council of Ministers for the Kingdom agrees that regional measures should be viewed as supplementary to security and border-strengthening initiatives developed within the Kingdom. The Ministry of Foreign Affairs, in consultation with the Caribbean countries, will therefore join other stakeholders in examining how programmes aimed at promoting stability and strengthening the rule of law in Latin America and the Caribbean can best be supported in the context of a broader regional approach to security.<sup>11</sup>

The Council of Ministers for the Kingdom also endorses the importance of close security cooperation, including military cooperation, with the United States, France, the United Kingdom and other countries in the region. The Dutch Defence organisation will continue to be a reliable and active ally of the US counter-drug organisation Joint Interagency Task Force South (JIATF-S), as it has been for the past 25 years. A Dutch liaison officer has been assigned to JIATF-S for this purpose, and an American liaison officer has been posted to CZMCARIB. Last summer, the Ministry of Defence concluded a Memorandum of Agreement with US Southern Command (SOUTHCOM), under which JIATF-S falls, aimed at consolidating the current cooperation. The Forward Operating Locations (FOL) Agreement is illustrative of the close cooperation between the Kingdom and the United States. This agreement provides the United States access to the facilities in Aruba and Curaçao for airborne counterdrug operations. This targeted fight against drug trafficking is in keeping with the Dutch government's commitment to upstream disruption. The procedure to extend the FOL Agreement from 2021 has already been started. Close cooperation in the form of information sharing also takes place between the Defence organisation, KWCARIB and Colombia, for the purpose of combating transnational drug crime.

Besides these partnerships, the Dutch government is advocating closer European cooperation, for example through the European Intervention Initiative. The Netherlands chairs the Caribbean working group, of which Portugal, Spain, Germany, France and the United Kingdom are also members. The Netherlands regards this working group as an ideal forum for the exchange of information about humanitarian assistance and disaster relief (HADR) and for the creation of an enhanced network among the members. Another forum for intensive European collaboration to suppress illicit drug trafficking is the Maritime Analysis and Operations Centre - Narcotics (MAOC-N). MAOC-N is an organisation established under treaty law to focus on jointly combating transatlantic drug trafficking operations that use pleasure craft (such as yachts and sailing boats) and aircraft. The Netherlands, together with six other European countries, is a member of MAOC-N and, like the other participating countries, has assigned a liaison officer to this organisation in Lisbon. MAOC-N collaborates with Europol and Interpol, as well as with police forces from a range of other countries, including Brazil, Colombia and the US.

The Council of Ministers for the Kingdom agrees with the AIV's recommendation on the Treaty of San José. In view of the increase in drug shipments from South America, there is an ever more pressing need to strengthen regional cooperation to combat this. The Treaty of San José provides a legal basis for operational cooperation between the Parties to combat drug trafficking by sea and air in the Caribbean. The Kingdom is working to encourage countries in the Caribbean region that have not yet signed or ratified the Treaty to do so. It is also consulting with its international partners to

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<sup>10</sup> Parliamentary Papers, House of Representatives, 2020/2021, 20 361, no. 184.

<sup>11</sup> The Treaty of San José has been ratified by Belize, Costa Rica, the Dominican Republic, France, Guatemala, Nicaragua, the United States, Honduras and the Kingdom of the Netherlands. Haiti, Jamaica, Panama and the United Kingdom have signed but not yet ratified it.

determine how best to remove any legal and political barriers to potential parties to the Treaty. An increase in the number of states parties should ensure better applicability of the powers conferred by the Treaty, thereby enhancing the effectiveness of maritime and aeronautical action in the area concerned.

The Council of Ministers for the Kingdom also agrees with the importance which the AIV attaches to information sharing in a regional context. Besides drug crime, the Caribbean countries and other island states of the Caribbean Community (CARICOM) have to deal with other forms of crime such as money laundering, illegal arms and gold trafficking, corruption and other forms of crime with broader social implications, gang violence, human trafficking, irregular migration and foreign terrorist fighters. It has been established that criminal links exist in these areas between the Caribbean and the Netherlands. CARICOM's security organisation, IMPACS (Implementation Agency for Crime and Security), plays a central role in gathering information and intelligence on criminal movements and trends in the Caribbean region. Although the implementation agencies of the Netherlands and the Caribbean countries maintain links with IMPACS and affiliated agencies, these links have not yet been formalised. To strengthen the information position, the parties concerned are exploring options for concluding a cooperation agreement. In July 2019, a Kingdom-wide agreement was concluded with CARICOM's Disaster and Emergency Management Agency (CDEMA) for disaster relief cooperation. As part of the Kingdom, the Caribbean countries can also enter into partnerships independently with certain international organisations to strengthen relevant contacts in the region.

#### Conclusion

In the spirit of the AIV's advisory report, this response has been formulated by the four countries of the Kingdom in close consultation with one another. All the countries stress the importance of close cooperation, especially when it comes to the broad range of threats facing the Caribbean part of the Kingdom. The governments see it as their joint task to make the Kingdom more resilient and to continue to ensure a safe society for all citizens.