

Each of the autonomous countries has the obligation to promote the realisation of fundamental human rights and freedoms, legal certainty and good governance; this is primarily their own, autonomous responsibility. However the safeguarding of such rights and freedoms, legal certainty and good governance is deemed a 'Kingdom affair'. As a consequence, the Kingdom can respond if an autonomous country fails to fulfil its duty adequately in this field. Whether this is the case is primarily to be assessed by the Council of Ministers of the Kingdom (see below).

International legal agreements and Memoranda of Understanding

Since only the Kingdom of the Netherlands is a subject of international law, only the Kingdom can conclude, ratify and accede to international legal agreements, such as treaties and conventions. However, the geographical applicability of these agreements may be confined to Aruba, Curaçao, St Maarten, the European part of the Netherlands and/or the Caribbean part of the Netherlands (the islands of Bonaire, St Eustatius and Saba). In other words, such agreements may be concluded by the Kingdom for one or more of its constituent parts. Treaty implementation and compliance is an autonomous responsibility of the individual countries, i.e. Aruba, Curaçao, St Maarten and the Netherlands (for the European and Caribbean parts of the Netherlands). Nevertheless, the Kingdom of the Netherlands remains accountable under international law as the Contracting Party. In areas in which the individual countries have autonomy, they can conduct negotiations themselves. However, the Kingdom must ultimately formalise the results, as it is the Kingdom that will become party to the international legal instrument concerned.

The individual countries are allowed to conclude Memoranda of Understanding (MoUs) in areas in which they have autonomy, as long as these MoUs do not infringe on the foreign policy of the Kingdom as a whole.

Internal structure of the autonomous countries

As head of state of the Kingdom of the Netherlands, His Majesty King Willem-Alexander is represented in each of the autonomous countries in the Caribbean by a Governor. Aruba, Curaçao, St Maarten and the Netherlands each have their own government and parliament. These institutions are empowered to enact legislation related to the countries' own affairs. Kingdom affairs are addressed in the Council of Ministers of the Kingdom, which consists of the Ministers of

the Netherlands and three ministers plenipotentiary appointed by Aruba, Curaçao and St Maarten.¹

Aruba, Curaçao and St Maarten each have their own foreign relations directorate or department, falling under the authority of the prime ministers of the respective countries.²

The Dutch public bodies Bonaire, St Eustatius and Saba have two tiers of government, i.e. a local authority and the central government of the Netherlands. Broadly speaking, central government has taken over the duties that were performed by the Antillean authorities until 10 October 2010. Each public body's local government is under the control of the local representative assembly, called the island council.

The implementation of the Netherlands' tasks on Bonaire, St Eustatius and Saba (and the associated support services) is the responsibility of the National Office for the Caribbean Netherlands (Rijksdienst Caribisch Nederland), which is headed by the Kingdom Representative, who has an office on each of these three islands. The National Office represents all the Dutch ministries (apart from the Ministries of Defence and Foreign Affairs, which work for the Kingdom as a whole). In addition, the National Office implements the Minister of the Interior and Kingdom Relations' official tasks as the employer of all public servants on Bonaire, St Eustatius and Saba. As public bodies, these islands therefore have considerably less autonomy than the autonomous countries of the Kingdom; the government of the Netherlands plays a significant role in their internal affairs.

The countries in the Kingdom work together to protect the independence of the judiciary, tackle corruption and cross-border crime, and maintain public order. A joint Court of Justice is responsible for the administration of justice in the Caribbean part of the Kingdom. The Supreme Court in The Hague is the court of cassation for all parts of the Kingdom.

Investigative and prosecutorial powers are vested in the procurator general. A single procurator general is in charge of the Public Prosecution Service for Curaçao, St Maarten, and Bonaire, St Eustatius and Saba. Aruba has its own procurator general.

¹ Cabinet of the minister plenipotentiary of Aruba: www.arubahuis.nl
Cabinet of the minister plenipotentiary of Curaçao: www.vertegenwoordigingcuracao.nl
Cabinet of the minister plenipotentiary of St. Maarten: www.kgmsxm.nl

² Foreign affairs department Aruba: www.arubaforeignaffairs.com
Foreign affairs directorate Curaçao: www.gobiernu.cw
Foreign relations department St. Maarten: www.sintmaartengov.org/government/AZ/Department-of-Foreign-Relations/Pages/default.aspx

International organisations

It is the task of the Kingdom of the Netherlands to represent the interests of all its autonomous countries in international organisations, with the interests of the European part of the Kingdom being represented in accordance with obligations under EU law (see below). With the Kingdom's agreement, Aruba, Curaçao, St Maarten and the Netherlands (on behalf of the European and/or Caribbean part of the country) can also be assigned a status of their own within international or regional organisations. The internal rules of the organisation in question will determine whether the four countries can become separate members, associate members or observers.

Delegations of the Kingdom of the Netherlands to international meetings can consist of members from every autonomous country of the Kingdom, and be headed by a delegate from any of the four countries.

European Union

The Treaties of the European Union have been signed by the Kingdom of the Netherlands, but are only ratified for the European part of the Kingdom. As a consequence, the EU *acquis* is, in principle, applicable only to the European part of the Kingdom. The Caribbean parts of the Kingdom of the Netherlands are listed as Overseas Countries and Territories (OCTs). This applies to both the autonomous countries Aruba, Curaçao and St Maarten and the public bodies Bonaire, Saba and St Eustatius. This status determines their legal position vis-à-vis the European Union. OCTs are merely associated with the Union. As a result of their OCT status, the autonomous countries and public bodies enjoy a number of benefits, for example regarding exports to the EU. In addition, they receive funding from various EU sources, for instance the European Development Fund (EDF). It should be noted that Bonaire, St Eustatius and Saba remained OCTs (rather than becoming Outermost Regions)





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when they became part of the country of the Netherlands in October 2010.

The Caribbean countries and public bodies promote their interests as part of the Association for Overseas Countries and Territories of the European Union (OCTA).

Citizens of the Caribbean parts of the Kingdom are Dutch nationals and thus have Dutch citizenship. Therefore, they enjoy the benefits of European citizenship and can, for example, vote in elections for the European Parliament.

Currencies

The euro is the official currency in the European part of the Kingdom. The US dollar is used on Bonaire, St Eustatius and Saba. Curaçao and St Maarten have a joint central bank and a common currency, the Netherlands Antillean guilder. However, it is also possible to use the US dollar on St Maarten. Aruba's currency is the Aruban florin.

For more information

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