

Draft Motion
Fort Amsterdam, Sint Maarten

The Parliament of St. Maarten, in its meeting of today, April 17, 2013

CONSIDERING:

1. That the Preamble of the Constitution of Sint Maarten states: "*WE, THE PEOPLE OF SINT MAARTEN*", (Being) "*...DETERMINED to care for the perpetual maintenance of nature and the environment*";
2. That Article 21 of the Constitution of Sint Maarten states that: "*The government shall set out conditions for social and cultural development and recreational activities, as well as for the preservation of the cultural heritage*";
3. That Article 22 of the Constitution of Sint Maarten states that: "*It shall be the constant concern of the government to keep the country habitable and to protect and improve the natural environment*";
4. That Fort Amsterdam which is located on the peninsula between Great Bay and Little Bay was first constructed in 1631 and is therefore the oldest Dutch Fort in the Dutch Caribbean;
5. That Fort Amsterdam is the last remaining relatively intact Fort on St. Maarten;
6. That Fort Amsterdam played an important role in St. Maarten's history and is therefore of immeasurable cultural-historical value;
7. That it is desirable to set rules and regulations to protect and promote the island's Cultural and Historical Heritage;
8. That it is desirable to set rules and regulations for the conservation and protection of Flora and Fauna and to establish Nature Parks on St. Maarten;
9. That Fort Amsterdam has been Internationally recognized as an Important Bird Area (By Bird Life International) and is an important breeding area for St. Maarten's national bird the Brown Pelican (*Pelecanus Occidentalis*)
10. That it is Government's responsibility to care for our national monuments, cultural heritage and natural habitats, as set forth in the Constitution of Sint Maarten, the governing program 2012-2014, stipulated in several ordinances and as a result of St. Maarten being signatory to multiple treaties on these topics.
11. That over the years there has been wide-spread and far reaching public support for the protection of Fort Amsterdam.
12. That the Court has ruled in the past that Divi Little Bay should in fact provide access to the Fort.

Resolves:

- A. To support the Minister of Culture in the Minister's efforts to ensure that Divi Little Bay resort provides unrestricted public access to Fort Amsterdam as it is legally required to do;
- B. To charge the Council of Ministers with the task of pursuing all legal measures necessary in securing public access to Fort Amsterdam;
- C. That the Parliament of St. Maarten is in favor of further protecting Fort Amsterdam and establishing Fort Amsterdam as a Protected Area and a Nature Park as described in Article 8 of the "Landsbesluit natuurbeheer en -bescherming Sint Maarten (AB 2003, 25)" and Article 10 of the "Landsverordening grondslagen natuurbeheer en- bescherming (P.B. 1998, 49)";
- D. That Parliament is in favor of the purchase by the Government of Sint Maarten of the portion of the Little Bay Peninsula where Fort Amsterdam and associated structures are located;
- E. To charge the Council of Ministers specifically the Minister of VROMI to present, within ninety (90) days of the passing of this motion, the options, consequences, implications and duly negotiated costs of the purchase of the portion of the Little Bay Peninsula where Fort Amsterdam and associated structures are located as zoned and described in the "Ontwikkelingsplan Fort Amsterdam".

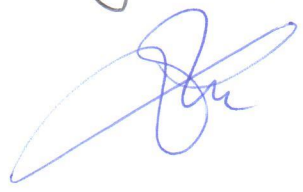
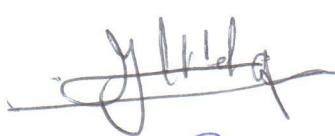
And goes over to the order of the day.

Copies of this motion to be sent to:

**The Governor of Sint Maarten
The Government of Sint Maarten
The Council of Advice of Sint Maarten
The General Audit Chamber of Sint Maarten**


MP. Frans Richardson


MP. Louie Laveist





STATEN VAN SINT MAARTEN
Wednesday, April 17, 2013 Public Meeting no. 5

Voting list

Motion no. 10 date: April 2013

For + Am of ordam

MLO
FGL

NO.	NAME	VOOR/FOR	TEGEN/AGAINST
1.	drs. R.E. Samuel	✓	
2.	G.C. Pantophlet	✓	
3.	Patrick G. Illidge	✓	
4.	H.L. Richardson	✓	
5.	Petrus L. de Weever	✓	
6.	F.G. Richardson	✓	
7.	Lloyd J. Richardson	✓	
8.	Romain J. Laville	✓	
9.	Roy R. Marlin	✓	
10.	Johan E. Leonard	_____	_____
11.	Silvia V. Meyers-Olivacce	_____	_____
12.	Jules C. James	_____	_____
13.	Louie E. Laveist	✓	
14.	Gracita R. Arrindell	_____	_____
15.			
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