

Motion no. 3

The Parliament of Sint Maarten in its Public meeting of today, Wednesday, January 27, 2016

Considering:

- that by means of the pending proposal of Kingdom Law known under serial number TK 33 852 (R2023) to amend Kingdom Law on nationality ("RWN"), the naturalization period will be extended from five to seven years;
- that the extension of the aforementioned period to seven years is necessary according to the elucidation to ensure that someone has a connection with the countries of the Kingdom;
- that the requirement of a double language test based on article 8, paragraph 1, under d, RWN is only applicable for persons seeking naturalization in Aruba, Curaçao and Sint Maarten and the public entities Bonaire, Statia and Saba;
- that the aforementioned double language test is regarded in legal literature as in contravention with among others the principle of equality, and since the introduction in the relevant jurisdictions is experienced by persons seeking naturalization as such; reported fact has been repeatedly brought forward by several members of the delegations of the relevant jurisdictions during the IPKO;
- so after the expiration of the proposed longer term of seven years, a sufficient degree of connection to society can be assumed, there is reason to criticize the said dual language test as superfluous or obsolete;
- that the motion of special delegate Sulvaran as adopted by the States-General (Chamber documents 2009/10, 32213 (1903) carries the recognition of equal basis of Papiamentu and English in Kingdom Laws;
- that in the report of the Committee evaluation judicial Kingdom Law reference is made to the language barrier;
- that an amendment has been drafted (see attachment) that aims to cancel the requirement of a double language test.

Resolves:

1. to support the scope of the aforementioned amendment;
2. that amongst the Parliaments one or more special delegates can be sent for the handling and submission of a draft amendment with the aforementioned scope.

And goes over to the order of the day.

Copies to be sent to:

- The First and Second Chamber of the Netherlands
- The Parliament of Aruba
- The Parliament of Curaçao
- The Government of Sint Maarten
- The Government of the Netherlands
- The Government of Aruba
- The Government of Curaçao



STATEN VAN SINT MAARTEN  
Wednesday, January 27, 2016, Public Meeting no. 15  
Voting list

Motion 3

| NO. | NAME                     | VOOR/FOR | TEGEN/AGAINST |
|-----|--------------------------|----------|---------------|
| 1.  | Sarah A. Wescot-Williams |          |               |
| 2.  | George C. Pantophlet     |          |               |
| 3.  | Rodolphe E. Samuel       |          |               |
| 4.  | Theodore E. Heyligher    |          |               |
| 5.  | Tamara E. Leonard        |          |               |
| 6.  | Christophe T. Emmanuel   |          |               |
| 7.  | Frans G. Richardson      |          |               |
| 8.  | Hyacinth L. Richardson   |          |               |
| 9.  | Maurice A. Salie         |          |               |
| 10. | Leona M. Marlin-Romeo    |          |               |
| 11. | Franklin A. Meyers       |          |               |
| 12. | Silvio J. Mauser         |          |               |
| 13. | Johan E. Leonard         |          |               |
| 14. | Van Hugh C. de Wever     |          |               |
| 15. |                          |          |               |

ZHSA