



Parliament of Sint Maarten

Staten van Sint Maarten

Parliamentary Year 2020-2021-143

**The national ordinance to amend the
National Ordinance Public Health
incorporating the Regulation 2019-nCoV
(Parliamentary year 2020-2021-
143)**

**Report
No. 5**

In its meeting of the Central Committee, Parliament has exchanged views with the Government on the Draft Temporary National Ordinance to Amend the National Ordinance Public Health Incorporating the Regulation 2019-nCoV.

Parliament considers the current draft to be adequately prepared when the questions below are answered in time for the public meeting so that the draft can be discussed in a public meeting.

The **United Sint Maarten Party-faction** has taken note of the draft and the presentation by the minister and noticed that the enforcement part was missing. The Faction leader remarked that while this law will allow mandatory isolation, he would like to know who will be fulfilling this task? How is that covered in the law? Is the police doing this? Or will the Bafpollers do this? Who will be doing this by CPS? What will happen if persons don't want to adhere to the law? Will there be a fine like some other countries have been enforcing?

The Faction will also like to know how the calculation methodology will take place? 12% is being mentioned as the infection rate, which the Faction considers very high. Over which population are we calculating this? The people of 43.000 that is registered by the Census Office or over the actual people, over 60.000, on the island? Which amount is the minister using? The Faction wants to know why we are using numbers that are not accurate.

The Faction wants to know about "herd immunity." How much percent of the population should be vaccinated to be able to reach herd immunity? Name the percentage. The Faction needs clarity on this, seeing that Sint Maarten is going into hurricane season. The hope is then that we would have 70% of the population immunized. That 70% will be based on which number? The 43.000 or the 60.000?

The Faction inquired about the first group that is being immunized. Are they getting the Pfizer vaccination? The following group will be receiving the Astraviser vaccine. Is there a difference in the way these vaccines are being brought to Sint Maarten? Does it have to do with quantity? Or is it a mere coincidence? The Faction finds it odd that one vaccine stops after the first group, and then the second group gets a different vaccine.

The Faction understands that we don't want to create all kinds of problems, but the Faction understood a survey was done regarding the population that does not want to be vaccinated. What are the numbers that came out of that survey looking at herd immunity?

Mandatory isolation. Who will be paying for this? Will it be the same person who is placed in the compulsory isolation? Or will the country Sint Maarten be paying for this? What does the minister mean when he says that vaccination is not mandatory and that the minister will allow young children to go into school without being tested? How will this be working exactly? The Faction mentioned the Learning Unlimited School (LUS) saga. When the Government said to close the school, they took Government to court and won the case. How do you protect the innocent who does not believe in the vaccine or don't want to take the vaccine? With this proposed law, COVID-19 becomes an official disease in group A. Does it mean all doctors must accept COVID-19 as a disease?

Herd immunity of 70% by June 2021. Does this mean that Carnival will be able to take place in June/July? Can the carnival community start preparing for the Carnival? It is a financial issue for the Carnival committee. So, can the preparation for the Carnival in August 2021 begin? Are the vaccines and the testing compatible with the strains of COVID-19 we are getting on the island? The South African, Brazilian, and the UK strains? Does the vaccine work for all of these strains? Will a booster shot be given to help build a person's immune system? If you receive a shot and get the UK strain versus the normal COVID-19, would you be cured? Does the law cover the strains? Are all the strains considered? The Faction would like to know if all strains are covered?

The Faction member mentioned the incident at the hospital where he and another member of Parliament wanted to lead by example by taking the vaccine and they were told that they can get the vaccine. The Faction member mentioned that the RIVM was on the island in 2018, when they came to test on the landfill. The RIVM came to test if the fires on the landfill were killing people. They work on behalf of the various governments. Is there any test currently that can test the durability of the durability that the vaccine is giving? If so, which test is this?

58% of the population stated that they do not want to be vaccinated. The population has increased to 59000. Where did this number come from? Did the RIVM agree to this number? The faction wants to know if RIVM agreed to the number of 59000. Also, the faction would like to know where did government get this number from?

Seeing the 58%, the faction would like to know what kind of campaign will be launched to get the people to believe in the vaccine.

Students issue. The faction would like to know how the country will reach the herd immunity if 58% doesn't believe in the vaccine. Can the school refuse to admit a child who has not been tested or vaccinated? The minister has indicated that airlines and cruise lines have that right. Do schools have that right? If schools don't have that right will the Ministry of VSA/CPS give an instruction that they are to be tested or vaccinated and not let them into the schools?

Data collection that is being done know that people are taking the vaccine. Who is doing the data collection? Is that the Medical Center, CPS, VSA, house doctors, or the Pharmacy?

The minister stated that the Pfizer vaccine has shown the best results for seniors. Is any information given regarding people with underlying conditions and what would be the best vaccine for those conditions?

The National Alliance-faction has taken note of the draft. And would like to know what information the survey showed regarding how many people would like to take the vaccine. What are the different types of vaccines? The faction concerns are based on the number of vaccines that have been created in such a short time. The Faction mentioned that the concern stems from the fact that the vaccines don't cure but only help build a person's immune system. The Factionleader has also looked into how much income pharmaceuticals generate from the production of these vaccines, and his research shows that the pharmaceuticals receive trillions of dollars.

The Faction mentioned that it is not mandatory to take the vaccine, but the concern is that it will become a requirement for traveling in the future. How can you combat those traveling restrictions because of not being immunized? The Faction believes that this will be an infringement on human rights. The rights of the person who does not want to take the vaccine and a violation of the persons' rights who took the vaccine and is confronted by a person who refuses to do so.

The Faction mentioned that much campaigning went on in regards to the vaccination program. The Faction noted that a campaign should also be launched on prevention. Otherwise, how can you build your immune system?

The Faction inquired what is in place for people that are shut-ins, the elderly, and not able to register online? What are the plans for these persons?

The Faction reiterated that this law was to add the COVID-19 to the list of group "A" diseases. The faction leader mentioned that he does believe that this law will be accepted. But the Faction still would like to know if there are any new plans by the Government to come up with an emergency law to ensure that we don't have a repeat of the LUS situation? Recently Sint Maarten had in the news that the LUS had a cluster of Covid-19. The Minister of Public Health wanted schools closed, but the minister of Education said he doesn't have the tools to close the schools. Are there any plans to avoid this kind of situation repeating itself? Whether it is LUS or any other educational institution or a business place? There were plans to close certain buildings and businesses in the past. The minister said there are no law provisions to close the casinos, and their licenses don't allow the Economic Affairs department to close them down. If COVID-19 is a severe disease and reaches a certain level, you want to make sure that Sint Maarten doesn't get like the Netherlands, where the Government declared a state of emergency and locked down the country. The judge then said there is no reason for the state of emergency.

The on-line link to register to be vaccinated. What is the government's feedback on the registering for the vaccine? The Faction mentioned this because it has been getting only adverse reactions in the community; people are skeptical. Who is responsible for any negative broadcast? What effect will this have on the organization? What are Government's plans if the majority don't want to be vaccinated? What was Sint Maarten's choice based on?

The Faction wants to know if the vaccination team will monitor, evaluate, and decide how well it is doing and if it needs to switch to a different vaccine. The Faction wants to know if the directives will need to come from the Netherlands or elsewhere, regarding these issues? In terms of what is happening globally and regionally, will this vaccination become mandatory? Hence mandatory for travel. What is the projection? Based on the Ministry of Health experience with COVID-19, will there be any proposed changes to the Ministry structure? How will the Ministry operate to mitigate risks in the future?

The Faction inquired regarding the vaccination shots. There are two vaccination shots that persons will have to take. Will there be

an entity that will be monitoring the vaccinated person's reactions between the first and second shot? Or even after the second shot?

Why was June 2021 the deadline for the 70% of the population vaccinated?

What if a smaller percentage of the people take the vaccine by that specific date? What will then happen?

The United Peoples Party-faction inquired about the mandatory nature of the vaccination. Is it only the Government saying that it will not be mandatory? Do you believe that the cruise lines and airlines can put this requirement as a clause for traveling? The Faction also understood that it is advised in Holland that before taking the vaccine that persons should take a rest for two days and after the immunization another two days. If that is the case, do you have any update on this? How will the Ministry of VSA monitor the two or four days so that the Ministry doesn't lose any funds when persons stay at home.

The Faction inquired what is being injected into persons that receive the vaccine? Why is a temperature check being done before receiving the vaccine? What happens if a person has an elevated temperature? Will that person not be vaccinated?

The 15 minutes observation after receiving the vaccine. Why is this observation taken place?

How many vaccines will Sint Maarten be receiving? When will the second issue of vaccines be reaching Sint Maarten? Will it be free of charge for all persons? The Faction inquired about using natural herbs. Is this something that we should be promoting?

The Faction inquired about the 16.994 tested on the island and 2.451 at the airport—a total of 19.445. Sint Maarten has 2001 confirmed cases. If we take the amount tested and the amount confirmed, it is about 10% positive. But if we use these statistics for the 60.000 population, then we are only speaking of 3% of the people who would have had COVID -19. Hence the Faction needs to know which numbers are being used on the island to determine the population's amount.

The Faction wants to know if there is a system in place to monitor the vaccine's efficiency? Will persons that take the vaccine be issued a vaccine card or a certificate? If monitoring is in place, with whom will this be in collaboration? For the vaccine, will Sint Maarten be collaborating with the CDC or the RIVM? For the tourism load, the CDC is essential for Sint Maarten. America is where most of Sint Maarten's tourists come from. The RIVM has to do with the Netherlands. The Faction wants to be assured that our people will be

able to travel to America. That Sint Maarten will be accepting the American proof of vaccination card is very important to the Faction.

The Faction understands the 70% number that is considered herd immunity. The 70% is based on what number? As far as what was presented in the law, the Faction would like to see the law's amendments regarding isolation and quarantine being compulsory. Will this be done via the prosecutor's office? How will this be enforced? What is the consequence of not making this group "A"? Is there a study that shows that anyone became positive after taking the vaccine?

The Faction looks at the trend in Sint Maarten and noticed that the virus is making its way through the community, hence some days, we have 30 recoveries, and other days you see 28. Therefore Sint Maarten has herd immunity. The Faction wants to know the implication of adding the COVID-19 to the list "A" disease? Since introducing the antigen testing, the Faction would like to know how many tests have been administered on Sint Maarten? The Faction mentioned a policy that came out of the national gazette in February; the policy serves to regulate the application of care to the tests. The Faction was referring to guidelines to antigen testing where there was no signature of the minister. Can the minister please clarify why there was no signature? The Faction mentioned that under the heading Medical laboratory states: the approved COVID -19 antigen test is all diagnostic test performed as a nasal swab. This is the point of care testing. Care testing can only be done under the supervision of a locally established laboratory. Who does the inspection of the SLS and the HSLS? Are they the national institutions or the inspector of health? The Faction would like to know how these institutions justify having these institutions do this testing because antigen tests can be bought for about 20 dollars on the island. These labs are only printing the results on their letterheads. What is the justification? This legislation makes it possible for doctors to do this task. Article 12 states a doctor who suspects an infectious disease in group A must immediately report that to the service. Who determines this price that allows labs to make money on this while it can be bought at a pharmacy and be administered by the doctor?

Can the minister inform Parliament of any additional policy that will be coming when Parliament passes this law? A lot of this law allows the minister to introduce Ministerial regulations. Hence, the Faction wants to know if any other legislation will be coming to Parliament, because the Faction is seeing that policies are being written that have significantly affected the community and economy.

Has the minister had direct contact with the CDC about these regulations? The Faction believes the CDC is very relevant because most of the tourists that come to Sint Maarten come from the USA.

The Faction is also concerned about article 54 of the legislation, which speaks of enforcement of the law. In article 57, "bestuursdwang," what are the plans with this when it comes to mandatory quarantine and isolation. The law only speaks of what the Minister "can do." Or will a new policy come out of these conditions?

The Faction would like to look at article 51, which deals with the law's financial part. The country will bear the cost associated with this. Has the minister also looked at the budgetary consequences of the mandatory quarantine and isolation?

The Emmanuel-faction leader has taken note of the presentation and draft with interest and mentioned that he is looking forward to taking the vaccine. When and where will the vaccination take place? When will it be available? Will there be an age limit? At what age will we be starting? The Faction inquired if children will be receiving the vaccine? Can a breakdown be given of the ages? Who will be classified as a child? What is meant with "herd immunity"? Define herd immunity. Why is herd immunity important? Why are we looking to accomplish with herd immunity?

The Faction inquired about the different brands of vaccines from the other countries in the world. Why is Pfizer going to be used on the island? Does climate have to do with this choice? Or are we just following the Dutch? Has Sint Maarten done a study in terms of the different brands? Which one is best for us on Sint Maarten? The Faction mentioned that it is following other countries in the Caribbean choice of the AstraZeneca vaccine. Which one of the vaccines will be used to immunize the population of Sint Maarten?

The Faction inquired if Sint Maarten had any discussion or cooperation with the Northern side of the island in terms of the vaccination? What did that discussion entail?

The Faction inquired about the minister of VSA in regards to the new strand of COVID-19 not being on this side of the island jet.

The Faction wants to know the date, time, and where the vaccine will be administered. The Faction would also like to know if the general public will be asked to be vaccinated? And if not, why not?

The Faction inquired if this vaccination process will have to go via the prosecutor's office? Because if this is the case, will he deregister his name? Does the Faction need factual information on this?

The Party for Progress-faction took note of the presentation and inquired what amount of vaccines was delivered on Sint Maarten? How many are being made available to meet the

vaccination target? The Faction observed in regards to mandatory vaccination. To travel to certain African countries, it is compulsory to get a vaccine against malaria, yellow fever, etc.

The Faction wanted to know from a logistical point, when the vaccination starts, if there is a no-show is there a plan in place to avoid wasting of the vaccine? The Faction would like to know if there is a backup list.

The faction wants to know if there was any uptick in registration since the minister was last at parliament.

The United Democrats-faction has taken note of the small change to the law on Public Health that would now create the legislative basis for the COVID-19 virus. With everything that laws provide, all the instruments that once everything is included like illness. This is a follow-up to the Minister's COVID-19 ministerial regulation presented on COVID-19 pandemic. The measure that was presented needed to find its basis within a year after the ministerial decree. This should have been passed by January 31, 2021. Is there anything now that this legislation basis provides in terms of measures next to the mandatory nature of it. Is there any other thing that the law offers that was not possible with the ministerial regulation? Or is it the whole thing? The entire measure's condition is taken over from the Ministerial decree, and it just now gives you as a minister and the ministry force to make it mandatory—all the rights.

The minister was thanked for seizing the opportunity to present the exciting law to add the COVID-19 and update the Parliament on how the vaccine will be rolled out. The Faction inquired if everyone is allowed and encouraged to register right now? The Faction asked if the two first groups of health providers and persons sixty and older are also encouraged to register now? Is what was shown the possibility for everyone? With no exception of age? In terms of a timeline, is it the intention to register or vaccinate the health care workers and the sixty-year-old and older? How long in the view of the Ministry will it take to say that we are now going over to the other group, the larger group? Because you have a person going over to be vaccinated voluntarily. The Faction saw that people are requested, when registering online, to indicate if they have any underlying conditions. What exactly should a person consider underlying conditions? Is there a particular specification? The Faction inquired if the list of conditions could be provided? Are these conditions medical conditions? How is the Ministry ensuring the privacy of the information?

The Faction inquired regarding the amount of vaccine destined for Sint Maarten. There is projected that the vaccination can start on January 22, 2021. The Dutch news reported this information. Is this so? In the total that will be provided, what amount will be given to the islands? What is the amount for Sint Maarten? Will Sint Maarten be able to ask for more if it is needed? Where does Sint Maarten factor in that total that was provided? Is Sint Maarten willing and able to start with the vaccination?

The faction wants to focus on the choice of persons that will be able to take the vaccine.

Everyone on Sint Maarten, regardless of status or how long they are on Sint Maarten can register to receive the vaccination? The minister recommended if persons are having concerns about their possible underlying conditions, these persons should contact their house doctor. There is a large segment of the population that is uninsured. Does the Ministry, at this time, have any idea how many people don't have insurance because of being unemployed due to the COVID pandemic? Does the Ministry have any indication as to what that number is currently? That is, persons not having health coverage?

Looking at the elderly, the faction wants to know of other ways the ministry has to help strengthen or maintain a good immune system. Is there anything that the Ministry is look at currently outside of the regular regulation concerning preventive care?

This report is to be considered as Final Report.

It was stipulated in the meeting of the Central Committee on February 26, 2021.

The Reporter,



R. Brison