



OMBUDSMAN

SINT MAARTEN



Home Repair

A revelation of a social crisis



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1. Introduction

On September 6th 2017, Sint Maarten was struck by Hurricane Irma, a category 5+ storm with sustained winds of 185 mph. Less than two weeks later the island was further impacted by Hurricane Maria. The island was devastated. The disaster assessment team estimated 34,000 persons sustained damage to their homes of varying degrees. There was damage to 90 percent of buildings, mostly due to the loss of roof coverings and damage to windows and doors. It was further estimated that there were about 12,713 dwellings affected, including 2,044 severely damaged and destroyed¹.

A comprehensive assessment by the Government of Sint Maarten and the World Bank estimates the total damages and losses from the two hurricanes at \$2.7 billion. An estimated \$2.3 billion will be required for recovery and resilience interventions over the next seven years². The Sint Maarten National Recovery and Resilience Plan³ (NRRP) indicates that the sector with the largest need is housing (22.8%). This means that an excess of \$500 million will be required for Housing alone in the coming years.

1.1 Objective and research questions

Two years since the passing of Hurricane Irma, there are many complaints about the slow pace of the reconstruction, in particular home repair. In July of 2018, the Ombudsman of Sint Maarten and the National Ombudsman of the Netherlands issued a joint letter to Prime Ministers Leona Romeo-Marlin of Sint Maarten and Mark Rutte of the Netherlands expressing concern regarding the slow pace of the reconstruction of Sint Maarten and urged both Prime Ministers to speed up the recovery process.

This report aims to provide an overview of the developments to date in terms of home repair. The report will focus on how the most vulnerable persons in our society have been impacted by Hurricanes Irma and Maria. How have the hurricanes impacted their standard of living? How have these persons experienced the assistance surrounding home/roof repair? What have been their challenges? It will take a critical look at the recovery process and identify the bottlenecks citizens are facing when seeking assistance, especially from government, in particular concerning home / roof repair. Additionally, the chronic lack of affordable housing will be addressed.

¹ Report “Assessment of the Effects and Impacts caused by Hurricane Irma” ECLAC, ECCB, Government of Sint Maarten.

² Sint Maarten National Recovery and Resilience Plan.

³ The NRRP is a large-scale plan developed by the Government of Sint Maarten to build back a more resilient Sint Maarten. A significant part of the plan (\$550 million) is funded by the Sint Maarten Recovery, Reconstruction and Resilience Trust Fund. The Sint Maarten Trust Fund is financed by the Government of the Netherlands, managed by the World Bank and implemented by the National Recovery Program Bureau (NRPB).

Our objective is not to distribute blame, but to provide an assessment of the current state of affairs and recommendations with the hope that it will lead to an improvement of the present situation and contribute to preventative plans and policies moving forward.

1.2 Scope and approach

This report is limited to the progress of Home Repair projects since the hurricanes of September 2017. While different organizations including the NRPB have various projects under implementation, only the projects relating to Home Repair will be addressed. In our information gathering process various town hall style meetings were held with the community councils throughout the island that accepted our invitation. Meetings were also held with the stakeholders responsible for the implementation of the Home Repair projects. Additionally, interviews were held with interest groups and numerous persons who have been affected by the hurricanes and those still awaiting assistance while living in substandard conditions two (2) years after the storms. Some of these stories, as expressed in their own words, are highlighted in the report and documentary.

1.3 Overview

Chapter 1 outlines a short description of the objective, scope, reading guide and the complementary documentary. In chapter 2 we will discuss the Ombudsman Outreach program, the role of the community councils, the work of the NGO's and the T-Shelter. In chapter 3 we will address the Home Repair programs undertaken by government, the Sint Maarten Development Fund (SMDF) and the National Recovery Program Bureau (NRPB). We will also touch on the role of the Sint Maarten Housing Development Foundation (SMHDF) and its challenges. In chapter 4 the bottlenecks will be identified and in chapter 5 the conclusion will be provided. Finally, in chapters 6 and 7 we will conclude with the recommendations and special thanks respectively.

1.4 Short film/documentary

This report will be complemented with a short film/ documentary which will be released after the publication of the report. This documentary was filmed and produced by Peter Sagnia Film & Video Production Agency.

2. Community Outreach

In 2019 the Ombudsman and her team embarked on an initiative with the objective of reaching out to the general public, in particular the most vulnerable in our society. The first phase of the project was to enlist the assistance of the community councils as the representatives of their respective districts. The Ombudsman reached out to the community councils and held a general meeting and made arrangements for meetings in the districts. Extensive (social) media coverage took place to get the word out and bring attention to the public, this included several radio and television interviews. The councils were also enlisted to share the information via their respective media outlets and flyers within their districts. Town hall meetings were held in Dutch Quarter, Philipsburg (Down street), Cay Hill, South Reward, Belvedere and St. Peters. The objective of the town hall meetings was twofold: to spread awareness about the institution of the Ombudsman and bring attention to the Community Outreach program in order for persons to share their personal experience relating to roof /home repair. Following the town hall meetings, a number of residents signed up to be interviewed for the following phase of the Community Outreach program.

Family of six (6), Dutch citizens

This resilient family of six (6) who, like many others, lost their roof during the devastating hurricane is still dealing with the effects of the hurricanes of 2017, this is their day to day life. This family has signed up for assistance for roof repair with the available organizations and is currently awaiting assistance to actually have their roof fixed. They received material from the Red Cross but due to high cost of labor, the family was not able to afford it.

An attempt was made through jollification to fix the roof but to no avail. The material from the Red Cross is thus still in their yard, the family is still awaiting definite word on whether they will receive assistance, after requesting help and enduring assessment after assessment.

The damage to the roof and the now worn-down tarpaulin has left the home exposed to the elements as well as rodents and birds. Their access to electricity is very limited and dangerous due to the state of their roof. The water exposure leaves the entire family exposed to mold. Their youngest daughter is constantly in and out of the Emergency Room with severe allergies. This courageous and resilient family, though initially reluctant to share their story, still thought it important to express what they and other citizens of Sint Maarten are still going through. Two (2) years and counting since hurricane Irma struck the island. They have not been sitting still; they tried to help themselves as much as they could through available resources, making their own repairs with the help of YouTube videos, however the assistance to fix their roof is needed. The family described doing their best to keep strong but having feelings of frustration and losing hope at times.

2.1 The Community Councils

The community councils played a crucial role in the distribution of goods within the community post hurricane Irma. They were often government's main guide through the community. It is against this backdrop, acknowledging this role of the councils as the pinnacle within the different communities that contact with the councils was made. However, it became evident that some councils are not as active within the community as others. Even though the councils were one of the few sources of contact and distribution of goods within their community after the hurricane(s), some have limited reach within the community. Many could not specifically provide or identify the most vulnerable persons that would fit within the project. There are several reasons for this limitation, such as the challenges for the councils to retrieve this information from the community (considering it takes a reassessment of the community), the trust of the community to share this information pertaining to their living conditions and the organizational structure of the councils. The Ombudsman recognizes the multifaceted challenges of the councils in being efficient and effective within their community. The effective operation is hindered due to being dependent on individual input from community members and arduous council activities. In addition some councils are legally incorporated and others are not.

Despite the aforementioned, the Ombudsman also recognizes the potential of well-organized community councils and encourages community mobilization and development. Therefore, the Ombudsman underscores the project undertaken by Sint Maarten Development Fund (SMDF) to strengthen the different community councils. This project aims to empower, fund and equip the community councils with incorporation of their statutes and the resources and tools to be effective within the community.

2.2 The White & Yellow Cross (WYC)

The WYC took the opportunity to apply and received funding from the Netherlands to repair approximately forty-five (45) of their client's homes. The WYC was one of the first organizations visible with roof repair post hurricane Irma. The WYC established their criterion, did social and technical assessments then repairs began on the first fourteen (14) homes in March 2018. According to their final report, thirty-eight (38) homes of their own clients were approved, and there were still funds remaining, as a result, another ten (10) senior citizens that fit their criteria were assisted. Forty-eight (48) dwellings were repaired in total⁴. It is important to note that the various roof repair projects were executed within the funding and budget available, thus at times temporary solutions were sought. Families were informed of this and encouraged to seek funding for a structural solution to their homes. The WYC sighted that there was an initial collaborative group of organizations that were undertaking projects in home repair. However, according to the WYC the meetings became tedious and cited different reasons such as, changes with personnel from the international organizations and their inability to share information due to their privacy policies, bureaucracy, different principles and criteria used by different

⁴ 'Eindrapportage wederopbouw projecten', White & Yellow Cross (30 September 2018).

organizations, slow decision making and follow ups. WYC acknowledged the complexity in assessing who would be eligible for home repair but mentioned that it was easier for them because they had a set clientele, and as a private organization did not have to follow the process of public procurement.

The ongoing challenge that the WYC faces is the considerable waiting list of clients waiting to be placed within the different care products. These challenges worsened after the hurricane.

Fortunately, WYC was able to take care of their most vulnerable clients, but they did highlight the situation pertaining to affordable senior housing, the need for more space for elderly care and those in need of rehabilitative care. Often times as it pertains to elderly care, space is not forthcoming unless a client passes on. Also, clients who with some support and care, are able to live independently, often lack a family network that can assist in these areas. Likewise for persons who are admitted to the SMMC, but due to lack of a family network, adequate housing and space at WYC's facility, remain there taking up much needed space at SMMC as well.

2.3 The Red Cross

Red Cross Sint Maarten⁵, empowered by their regional and international counterparts, was also one of the organizations providing emergency assistance on the ground following the hurricanes. The Red Cross executed several projects including a food voucher and school meals program. One of the main concerns from persons within the community was that the Red Cross seemed to have been designated to certain areas and not others.

Red Cross clarified that an agreement with government was the basis of their focus on specific districts that were considered to have suffered the most damage. In addition, these districts were considered due to the fact that Red Cross doesn't take the legal status of the individual they are assisting into account and said districts account for a high concentration of undocumented persons. It was explained that Red Cross, as an organization, functions as an auxiliary to government and therefore operates within the agreements set by the local government.

According to their report, although the program primarily focused on roof repair and robust rebuilding of houses, this did not automatically mean that all repairs resulted in hurricane resistant homes. Like other organizations, the scope of the project was limited. For example, if a house already had a weak foundation or was overall poorly constructed, they could not provide concrete walls or reinforce the poor construction, they were limited to the scope of the roof repair program: they could only provide a new roof.

⁵ Information gathered from an interview with Red Cross representative and the 2nd and 4th report 'Netherlands helps Sint Maarten'.

Female, age 67, Dutch

She is single with no dependents or children living at her home. She collects approximately ANG. 1100.00 in social aid and pension. Prior to hurricane Irma she sought shelter at the Sister Marie Laurence School in Middle Region. After the passing of the storm she was met with devastation as her home was completely destroyed, leaving only the foundation, her bed and a fridge remaining. She paid a friend \$80 a day to construct the walls of her home with used (pieces) of plywood. The Red Cross assisted with labor and material by putting a roof on the plywood structure. She registered with the National Recovery Project Bureau (NRPB) eight (8) months ago. Two years after the hurricane she is trying to cope with her present situation. She is living a minimalist existence where amongst others doing her dishes outdoors and having to contend with one lamp for the entire home. Her situation has highlighted a dire situation. Due to her low income, lack of social homes and affordable housing on the island and the inability to do better, it will be difficult for her to escape her present situation.

According to their 2nd report entitled “Netherlands helps St. Maarten” the home repair project targeted 2000 families whose homes were not totally destroyed. The assistance was in the form of providing building materials, tools and technical advice. Many persons received building material with the concept that through jollification or by paying for the labor that persons would be able to repair their roofs. However, often heard complaints that persons were unable to acquire skilled and affordable labor to repair/reconstruct (especially) their roofs (adequately), as the technical knowledge was scarce and the labor costs associated with the repairs many could not afford. During a meeting with the Ombudsman, in June 2019, the Red Cross representative acknowledged that they had also recognized this flaw in the home repair project and explained that this was mainly a result of lack of information on Sint Maarten. Data is a critical aspect of drafting effective policies after a hazardous event. A lack of data as experienced with Sint Maarten is called an ‘analysis paralysis’, this phenomena resulted in policy (initially) being executed not geared towards the specific demands of the community.

They recognized that many persons still have the building materials in their yards but were unable to do anything with them due to the specific technical skills necessary to carry out home repairs and the cost that goes along with it. Also, the damages to the homes were much more than initially estimated. The Red Cross has since adjusted their project with a team that is revisiting those who received building materials in order to assist with the repairs. At the time of the meeting with the Ombudsman, the Red Cross would have put on 116 roofs with an adjusted target of ± 800 instead of the initial 2000. This project is set to end in October 2019⁶. According to the latest report, by July 31st 2019, 1044 families have received a financial contribution of repair materials and attended a workshop for the repair of roofs. 337 houses have been repaired, of which ninety-five (95) by the Red Cross construction teams. In relation to that, a special case committee was established to reassess their policy and a complaint procedure was put in place. While the Red Cross acknowledges that the home repair project would be executed differently,

⁶ The NRPB has indicated that \$ 7 million has been reserved from the Trust Fund for the Red Cross. It is expected that their home repair program will continue albeit in a revised format. The further details of this program are still in the discussion /development phase.

their initial home repair project provided home repair in a time when there was hardly any. Other challenges cited in the report were miscommunication within the community pertaining to their projects and locating vulnerable persons within the community.

A notable dilemma highlighted in their report is that undocumented persons are most at risk during hurricane season. These persons often have to deal with an accumulation of problems and often do not qualify for regular help. Red Cross recommends that this group is also included in the reconstruction plans of Sint Maarten. The Ombudsman shares their concern and sees the fact that no undocumented persons came forward with their experiences and concerns during the outreach, as indication that these persons suffer in silence. Meanwhile, they are (if working) paying taxes, but due to little or no enforcement by government are being allowed to remain on the island, thereby *defacto* allowing illegal immigration, and as a consequence thereof illegal labor and construction. Government however then turns a blind eye to these persons, that form a part of our community, when they are in need.

The Ombudsman applauds the Red Cross for being able to take a critical look at their project and their ability to reassess, adopt and move forward. This includes the training of sixty-seven (67) construction workers who they hired to assist those persons who could not afford to hire the labor to repair their roofs. This type of flexibility will result in a more targeted approach to their goal and efficiency, which is key.

2.4 Sint Maarten Development Fund (SMDF)

Prior to the hurricanes SMDF⁷ received financing from the Ministry of the Interior and Kingdom relations (*Ministerie van Binnenlandse Zaken en Koninkrijksrelaties, BZK*) to repair seventy-five (75) senior citizen homes. As a result of damages caused to the dwellings from the hurricanes, additional funding was requested and received. According to data received during the Outreach, SMDF has built sixteen (16) concrete homes where total catastrophic devastation occurred and repaired seventy-six (76) dwellings totaling ninety-six (96) dwellings belonging to senior citizens. There have been a few complaints from senior citizens regarding the lack of follow-up (i.e. commencement date of the home repairs) from SMDF, after having complied with the requirements and being informed that they have qualified for assistance. SMDF is currently engaged in negotiations with the NRPB regarding the financing of a (follow-up) project to assist senior citizens in the lower income area with the rehabilitation/reconstruction of catastrophic damaged dwellings. Further details have not been made available at the completion of this report.

⁷ St. Maarten Development Fund (SMDF) is non-profit foundation that was established on May 30, 2012 with the objective to facilitate the development and financing of programs and projects designed to contribute towards Sint Maarten's national development. SMDF is the primary source of funding for non-governmental foundations (NGO's).

Female, age 66, Dutch

This former civil servant currently collects a pension of ANG. 654,00 and receives no further additional financial assistance. She is currently still living in the home she lived in before the passing of Hurricane Irma. The home was passed on to her by her father. During the passing of the hurricane she stayed in the home by herself and braced the windows. Her door blew away and she thought that her windows would blow away as well. It was a very scary and exhausting experience that she would never want to experience again. Her roof remained, but sustained major damage. Every time it rains she experiences leaking and it is a major inconvenience.

She has requested assistance from government and provided them with all the required information. They have visited her home only to take pictures and ask many questions. To date no tangible assistance has been given by government. She has also spoken to SMDF, most recently on August 1st, 2019, and was told that she is still on the waiting list and would receive a call back within a few days. Up to the time of the interview (August 2019) she had not received a call back from SMDF. Red Cross did provide her with a voucher for ANG 2400,00 and she purchased windows that remains in storage as she cannot afford to have them installed. She is fed-up with the back and forth and feels helpless. After working with government for many years she expected to be treated better. Her health is declining and her diet is not proper. Due to her declining health she is scared for her life. She also has trouble sleeping and is taking medication to keep her calm.

2.5 United Nations Development Program (UNDP)

According to media reports UNDP is one of the organizations that received funding as part of the early recovery phase. In the early recovery phase part of the money that is being administered by the World Bank was released, totaling 7 million euros, to several NGO's to execute projects launched after January 2018 and completed by July 2018. As one of the recipients of this funding UNDP launched its Quick Impact Projects recognized under the theme "Building back Better St. Maarten". This project consisted of community clean-up with a cash for work program, fixing of community structures and roof repairs⁸.

UNDP has had to readjust the number of dwellings that could be restored under its home repair program from 500 to 150. The reasons for the adjustment were centered on their miscalculations of the damages. Also, the intention to use unemployed persons and homeowners for repairing of homes proved to be unsuccessful⁹.

By December 2018, it was reported that UNDP had repaired the roofs of 76 homeowners. Government identified these individuals and once they met the criteria for assistance, proceeded to get their roofs fixed "stronger and better". A UNDP representative cited in a press release that the majority of homeowners were satisfied with the work done, however stated that some persons felt that more repairs could have been done to their home. The representative went on to state that it was a roof repair program and not a complete home repair program.

Despite the reports of the success of UNDP's roof repair program several concerns and complaints have been expressed to the Ombudsman during the course of the Outreach program, concerning the quality of the roof repairs that were done by UNDP.

⁸ The Daily Herald, March 14 2018.

⁹ The Daily Herald, April 6 2018.

While persons, especially the most vulnerable, are grateful for any assistance in times of despair, it behooves us all to ensure that the scope of work offered coincides with the needs of the people and that the work is well executed¹⁰.

Male, age 64, Dutch

He is a pensioner who lost his roof during the hurricane and as a result almost everything in his house was destroyed. Doors and windows were blown out. According to him he received assistance from UNDP who constructed a new roof. From the outside the roof seems to have been fixed, but upon entering the home it appears that the roof has not been properly secured to the house. Open spaces leaves the entire home exposed to the elements. This pensioner is registered with the NRPB, however it is unclear if and when he will receive assistance.

2.6 Distribution of material

In addition to various organizations assisting with roof and home repair, several organizations also donated roofing and other materials as well as assisted with the distribution of same. One of these organizations that donated material was the Church of Jesus Christ of Latter-day Saints. Specific criteria, established by government, was put in place for persons to qualify, however according to media reports, many persons did not meet the criteria resulting in the pace of the distribution slowing down. As per the end of August 2019 only 21 persons¹¹ had received material. In an effort to achieve better participation government recently amended the criteria to facilitate a wider group of residents. The challenges that the Red Cross experienced with their roof repair program were also evident here. Firstly, the lack of data which is critical when drafting effective policies. The criteria that was established did not match the reality on the ground, resulting in many persons not qualifying for assistance. Secondly, while persons received material, they could not pay for the labor to get their roofs repaired.

It is the expectation that with the changes to the existing criteria, as well as with additional assistance from the NRPB, a larger group of persons will now receive assistance.

Some residents also reported receiving assistance in the form of supplies or vouchers to retrieve supplies from hardware stores through faith based organizations. These include the Adventist Development and Relief Agency (ADRA), connected to the Seventh-day Adventist Church and Samaritan Purse.

2.7 The T- Shelter (Dr. J Enterprises)

Dr. J Enterprises is a local and international charity foundation which was established on 1 April 2015, by a team of five (5) professionals who share a mutual vision. Their mission statement is to live their lives in compliance with a mutual spiritual conviction and to give back by helping the destitute. This entails orchestrating charitable help, locally and internationally; by providing food for the hungry, clothing for the unclotches, housing for the homeless, visitation

¹⁰ Queries to UNDP were unfortunately not answered up to print time.

¹¹ The Daily Herald, August 22 2019.

to the isolated, spiritual, medical & therapeutic support to those in crisis situations at home and abroad.

Dr. J. Enterprises was selected in early 2018 by the Ministry of VSA to manage the Transitional Shelter, also known as the T-Shelter, in Sucker Garden. The shelter officially opened its doors in March 2018 and is capable of housing approximately eighty (80) persons. The accommodations and services of the Shelter are only offered to persons who were directly impacted by Hurricane Irma. The services of the Dr. J. Enterprises include preparation of the shelter, preparing a program description, establishment and implementation of documented living guidelines for its residents. Persons who occupy the shelter are required to sign an agreement including rules and regulations. The staff is also required to manage the relocation process and assignment of appropriate units for families.

In addition, psychological support and a reintegration program is offered as well. During a visit of the Ombudsman Bureau in May 2019, the shelter housed fifty (50) persons. Because the shelter only assists or provides temporary housing to persons directly affected by hurricane Irma many persons who applied could not qualify to stay at the shelter. Persons and in particular young women with newborn babies who are seeking shelter cannot be assisted due to the scope of the project and are being turned down on a regular basis. To date, twenty-nine (29) families (in total fifty-one (51) persons) have been successfully transitioned out of the shelter. However, the program is scheduled to end in March 2020.

Bottlenecks

Although, the program has been proven to be a success some bottlenecks have been identified. Persons living in the shelter encounter challenges obtaining financial assistance based on the existing ordinance¹² and policies regulating it. Pursuant to the existing ordinance and policy persons can only be provided with financial assistance once a certain debt ratio is applicable. However, considering that persons are living at the shelter, they have little to no expenses (rent, utilities etc.). Consequently, they were eligible or hardly qualified for assistance, which partly defeats the objective of the program, which is to reintegrate persons back into society. It therefore seems that due to red tape and criterion set by government, persons in the shelter are usually denied financial assistance. There seems to be no cohesive policy between the government policy and the shelter. This is worth mentioning considering that the shelter program is government funded and as such one would expect essential fine-tuning of the policies. A solution to this problem is being worked on, however it is not clear if a solution will be found prior to the end of the program. Noteworthy is that persons who are residing with families or friends also fall in the “non- liability” category, making it difficult to get back on their feet.

Pensioners (seniors) are the most vulnerable group at the shelter. The pensioners are very problematic to re-integrate, especially because most have lost their entire homes and did not have sufficient money to rebuild or were uninsured.

The cost of insurance is considered a luxury that very few can afford and the extensive waiting lists to get their homes rebuilt gives little hope. Pensions received have proven to be insufficient, which makes the pensioners ineligible to rent a small apartment. The rental rates are high and

¹² ‘Landsverordening financiële bijstand’, AB 2013 GT no.66.

there is not enough social or affordable housing on the island. The lengthy waiting list for these pensioners seeking housing with the St. Maarten Housing Development Foundation and White and Yellow Cross is an additional challenge. For the short term the Shelter needs a 4 to 5-bedroom home to accommodate the pensioners.

There are also challenges for persons to move out of the shelter after the period of their stay has concluded. The period between their stay at the shelter and the relocation period is often times insufficient to accumulate enough money for one or two months' rent deposit. Many persons are earning minimum wage and the time it will take them to save this amount of money is extensive. As the shelter is only a short term transitional (housing) facility with restrictions imposed, persons are placed in a difficult position. The shelter program also highlights the importance of affordable housing (social housing).

Male, age 66, Dutch

He has been living at Dr. J. Enterprises Shelter since September 2018. He is receiving ANG. 400,00 social aid from the Social & Welfare Department and has since also applied for AOV pension from SZV and is still awaiting a response. Prior to the hurricane he was living in a container home in Cul de Sac and was off island for medical reasons during the passing of Hurricane Irma. Upon return to the island he met his home destroyed and his belongings lost (removed by landlord). He was left displaced and of ill health. His former home was repaired by the landlord but due to the high cost of rent he was unable to return. He lived under a tree for a while until he was approached by a member of the community who assisted by providing occasional meals. This person also contacted the Dr. J. Enterprises Shelter on his behalf where he was able to be accommodated by the Shelter and is presently on medication. Since arriving at the Shelter his main challenge is finding affordable housing. With his present income and the impending AOV pension, this may prove difficult. Before the hurricane he was working side jobs but due to his ill health this was discontinued. He did not approach any NGO's for assistance as he is not a home owner which he contends is an unfair requirement. He claims that his present situation has worsened since the hurricane as he has no home and his health is not optimal. The shelter has tried to get assistance from the White & Yellow Cross Foundation but there are no rooms available. In September 2019 he left the Island in the hope of a better future. He is very grateful for the time spent at the shelter and considers everyone there family.

3. Home Repair Programs

In addition to the projects mentioned in the previous chapter, there are two (2) other projects related to Housing that are being prepared and/or executed. These are the home repair projects executed by NRPB and the home repair project to be executed by SMHDF.

3.1 Government /NRPB

Shortly after the hurricanes a roof repair program was started by government. An initial amount of ANG. 5 million was budgeted for the program. To become eligible for the roof repair program, an applicant had to fulfill the following criteria (social assessment):

- Applicant must be a legal resident of Sint Maarten;
- Applicant must be the homeowner of the dwelling that needs repair and the dwelling has to be the primary residence;
- Unemployed homeowners;
- Homeowners receiving social aid;
- Pensioners who own their own home and have a monthly income lower than ANG. 4000,00 (gross);
- Homeowners who rent out rooms or apartments and their total monthly income is less than ANG. 4000,00 (gross);
- Applicant had no home insurance, or insurance did not lead to roof repair.

This program was transferred to the National Recovery Program Bureau¹³ (NRPB) in February 2019 where it now falls under the Emergency Recovery Project 1 (ERP1). The ordinance¹⁴ establishing the NRBP went into effect in November of 2018. The NRPB opened its doors in January 2019. However, the Ministry of VROMI did conclude a roof/ home repair pilot program in 2018 whereby seven (7) homes were repaired. The costs involved was approximately ANG. 350.000,00 (± 50.000 per home). The Ministry of VSA also started a pilot program to repair fourteen (14) homes of which seven (7) have been completed to date. This program is presently also being executed under the NRPB.

As previously mentioned, the roof repair program, which was initially coordinated by the Ministry of VSA, has been expanded to a Home Repair Program and is presently being executed by the NRPB. The main criteria established by government to become eligible for the program remains the same. The goal of the program is to repair 150-200 homes. The social and technical assessments are currently in process.

In the ERP1 Grant Agreement, the roof (Home) Repair Program is defined as follows: ‘The provision of assistance to the recipient, including cash compensation and assistance, in support of nonstructural repairs, with improved standards, to damaged houses of the most vulnerable households selected based on administrative, socio-economic and economic criteria and procedures acceptable to the World Bank’.

To date a total of 768 persons have requested Home Repair assistance.

The applicants were taken from the various lists that were compiled by the ministries of VROMI, VSA and SMDF after the hurricanes. Additionally, persons have registered for assistance during the month of April 2019.

¹³ The NRPB is responsible for the preparation, implementation and evaluation of the projects that are financed by the Trust Fund or by other available sources of funding. The NRPB falls under the responsibility of the Minister of General Affairs.

¹⁴ ‘Tijdelijke Landsverordening Nationaal Programmabureau Wederopbouw’ (AB 2018, no.37)

Male, age 56, Dutch

He resides in a one-bedroom home in Middle Region. He lives with his wife and receives disability benefits from the Social Services department.

His wife is unemployed and does odd jobs occasionally. Their home suffered damages from hurricane Irma as a tree fell on the home. The roof and parts of the interior of the home were damaged. He has received assistance from Sint Maarten Development Fund, who provided materials and did some repairs to his home 1 year after Hurricane Irma.

He also registered at the Red Cross for assistance with labor to rebuild his home but only materials could be provided. He is registered with the National Recovery Project Bureau (NRPB) and has met all the criteria to receive assistance.

Two years post hurricane Irma he is still struggling to make ends meet. He gardens and sells what he yields from his crop. He buys canned goods to survive day by day.

Unlike the other stories he has received assistance from SMDF and is set to receive further assistance from NRPB. However it remains unclear when the home repair will commence.

From the more than 700 applicants fourteen (14) have passed away and 256 applicants have indicated that assistance is no longer needed. The reasons for declining assistance are numerous. Some applicants have either received assistance through other organizations, via a loan or have rebuilt their homes themselves. Others (pensioners) have inquired about getting financial assistance, because they have taken a loan (commercial or from friends and family) to fix their roof and have depleted all of their savings. A few applicants have stated that they find the process too invasive. Another group of applicants used second hand material and do not want assistance as the process is taking too long.

After completion of the social assessment, sixty (60) applicants did not fulfill the criteria. The majority of these (29) had an income of over ANG. 4000,00 and twenty-nine (29) were non homeowners. As a result, 438 applicants remain.

From the remaining applicants 230 are eligible based on the approved criteria of which sixty-six (66)¹⁵ home repairs are presently in progress. The order of priority in which the repairs will commence is based on the vulnerability of the applicant. The make-up of the household for example is a determining factor in this decision.

One hundred and twenty-six (126) applicants were, despite numerous attempts, not reachable. Finally, eighty-two (82) applicant's files are incomplete due to the absence of required documents. Some are missing income tax declarations, but the majority (64) cannot provide proof of ownership for various reasons (lack of funds to obtain the required documents, succession conflicts, ownership conflicts etc.). It should be noted that the application procedure is not complete until the social and technical assessments have been finalized. It is possible that an applicant can pass the social assessment, however due to the scope of the work required on the home, may not pass the technical assessment. The present scope of work under the Home

¹⁵ 14 homes in the pilot group, 27 minor repairs and 25 by the SMDF.

Repair Program is the repairing and/or the replacement of roofs, windows and doors. In the event a home has catastrophic damage or if major structural repairs are necessary, an applicant will not pass the technical assessment and therefore not qualify under the current Home repair program.

Female, age 76, Dutch

She is a former civil servant, single, lives alone and owns her own home. Her monthly income is between ANG. 2500,00 and ANG 4000,00 per month. During the passing of Hurricane Irma, she stayed in her home. Her roof was damaged in several places and several windows and doors were also damaged. To date some windows/doors are still board up and some windows have plastic in front of them. The water damage has caused the interior doors to swell. Her home was not insured at the time.

Shortly after Hurricane Irma she requested assistance from government. The only response she has received since registering is a call to pick up a letter, in August 2018. The letter stated that she did not qualify for food vouchers. She stated that this angered her as she never requested food vouchers. After waiting for almost an entire year after Hurricane Irma passed, this was appalling. Since August 2018 she has not heard anything further from government. She was referred to SMDF in October 2017 and was told that she qualified for assistance. Thereafter her home was assessed, pictures were taken and sent to SMDF. At some point she was also told by SMDF that she was among the last group of persons to receive assistance. Last year she was told by SMDF that bids for the contractors would take place by the ending of May 2018. However to date she has not received any further response or assistance.

She did not register for assistance from the Red Cross as she understood that they were only giving vouchers. After the hurricane she received a food voucher. Then again in November 2018 she received a call from the Red Cross to pick-up a voucher for \$2000,00 in building materials, for which she was grateful. She went to the NRPB to request assistance and was told that she had to bring in the required documents. She did as requested and her information was filed. She has tried to assist herself by getting the roof and parts of the top floor of her home repaired with her own savings, however the bottom floor still needs to be repaired.

3.2 Sint Maarten Housing Development Foundation (SMHDF)

SMHDF was established on June 5, 1996. The purpose of the foundation is to work exclusively in the interest of improving public housing on Sint Maarten. The foundation seeks to achieve its goal by inter alia building and acquiring ownership of homes, other buildings and acquiring land ownership. According to the performance agreement signed with the then Island territory of Sint Maarten in June 1997, SMDF's inventory consists of 769 units:

Owned and managed by the foundation

- 451 social homes (Belvedere);
- 24 senior citizen homes (Belvedere);
- 200 mobile /emergency homes (Union Farm, South Reward, The Keys, Foga and Colebay).

Owned by government and managed by the foundation

- 94 social homes (Hope Estate)

Prior to the hurricanes there were many complaints about the lack of maintenance of the Belvedere homes. SMHDF representatives has acknowledged the veracity of these complaints. According to SMHDF local building standards were not applied during the construction of the Belvedere homes, requiring additional fixes to fit the tropical climate. Additionally, poor and (specific) European grade material was used, and the sourcing of European grade products tend to be more expensive in comparison with American (locally) sourced material. SMHDF representatives further stated that the financial resources to carry out all maintenance/repairs is simply not available due to associated costs thereof, arrears not being paid consistently by government and tenants as well as the non-indexation of the rental allowance that has not taken place since 1998.

The hurricanes have further compounded the maintenance issues. SMHDF representatives have indicated that 50% of their housing stock was damaged. As a result of the hurricanes the demand for housing has also increased exponentially, which intensifies the situation further. Pre Hurricane Irma the SMHDF had a waiting list of 1400 family units, post Irma this has increased to 2400 (± 6000 persons). SMHDF has also stated that the shortage of affordable housing is beyond the scope of the foundation. The construction of affordable housing requires donations or soft loans, which are not available. The foundation's current commercial loan consumes half of their operational cost. In addition, the chronic rent delinquency as well as a backlog in payments from government¹⁶, the non-indexation of rental subsidy/allowance and the inability to attract investors has left the foundation cash strapped. Ultimately, if these issues are not corrected on the short term, they may lead to the bankruptcy of the SMHDF.

SMHDF home repair programs

To date, SMHDF has repaired 109 social homes (units). The repaired units are located in Belvedere and required minor repairs totaling approximately ANG. 500.000,00 which included: placement of roof caps, flashing (weatherproofing) of walls and installation of sheet rock. These repairs were primarily associated with the previously mentioned way the homes were built, not suitable for a tropical climate, all this in combination with the heavy rains from the hurricanes.

A total of ANG. 5.3 million has been allocated /reserved from the Trust Fund for further repairs to homes belonging to or under management of SMHDF. These funds will be utilized for a project that will be executed in four (4) phases:

1. Refund SMHDF for monies spent on repairs after Hurricane Irma;
2. ANG. 500.000,00 reimbursement for the repair of the 109 homes;

¹⁶ According to SMHDF, government made a payment of ANG. 1 million towards the outstanding arrears earlier this year (2019). Government currently owes SMHDF ANG 1.8 million.

3. Financing for the entire process towards Building Back Better of the 5 apartment complexes, including the ‘towers¹⁷’ (high rise units), which received extensive damages as a result of Hurricane Irma;
4. Financing of architectural works for new housing projects at Upper Princess Quarter and Foga.

Female, age 65, Dutch

She resides in the Towers located in Belvedere, owned and managed by Sint Maarten Housing Development Foundation (SMHDF). She lives on the fourth floor which was severely damaged as a result of Hurricane Irma. She had requested to be relocated before the Hurricane due to her age and medical reasons.

During the storm her windows had been damaged and her glass door had been completely destroyed in addition to the blocks that came down from the interior wall which have not been repaired or replaced to date. When asked what was one of her daily challenges, she stated that when it rains she has to be home in order to secure her valuables. She received some assistance from a close friend, who helped her board up a broken glass door and carried out other minor repairs such as reinforcing the railing of her porch which is currently unsafe. According to her the minor repairs has not improved the situation.

According to her assessments were done and she was informed that the Building had to be evacuated, she was also informed in 2018 by the SMHDF that she would be relocated for a period of 3 months while the repairs take place. However, in a recent update she was informed that the repairs would commence in 2020 and that due to the lack of available social housing she could not be relocated at this time. She is one of many tenants that have no choice but to reside in the damaged Towers due to their income constraints. According to her, the situation has become worse as a result of the rains associated with the hurricane season of 2019. To date most residents living on the fourth floor of the towers, herself included, have not been relocated.

4. Bottlenecks and challenges

Several bottlenecks and challenges were identified during our Outreach program, these include the slow pace of the Home Repair, policies that are restrictive to the non-elderly, non-assistance for catastrophic damages, the unavailability of affordable housing as well as some others which will be discussed below.

4.1 Slow pace of the Home Repair

In July 2018, the Ombudsman of Sint Maarten and the National Ombudsman of the Netherlands wrote a joint letter to Prime Ministers Leona Romeo-Marlin of Sint Maarten and Mark Rutte of the Netherlands expressing concerns regarding the slow pace of the reconstruction of Sint Maarten and urged both heads of government to speed up the recovery process. More than one year later since the issuance of said letter there has been little progress in terms of roof repair. The reasons for the delay have been well documented; Sint Maarten’s lack of operational staff and expertise as well as the World Bank’s¹⁸ bureaucratic, complex and time-consuming

¹⁷ These works are anticipated to commence in the second quarter of 2020.

¹⁸ The World Bank’s operations evaluation department concluded in a 2005 report entitled: ‘Improving the World Bank’s development effectiveness, what does evaluation show?’, that ‘The Bank has transformed itself

procedures. The legislation establishing the NRPB was ratified in October 2018. The grant agreement for the Home Repair Program was signed in November 2018 and the NRPB opened its doors in January 2019. At the time of the writing of this report a total of 14 homes have been repaired with the assistance of the Roof/Home Repair program. The goal of the NRPB is to rebuild 150-200 private homes. What happens if the total amount of eligible persons exceeds this amount is unclear. In the interim many persons continue to live in dismal conditions, after having completed multiple intakes, two years and counting, many with little or no other prospects for improvement. This should not be an acceptable standard under no circumstances. What happens if Sint Maarten is struck by another major hurricane? The interval between Hurricanes Luis and Irma was 22 years. St Maarten cannot gamble on being as fortunate again. With the effects of climate change¹⁹ whereby storms are becoming bigger, stronger and more destructive²⁰, the odds are not favorable.

4.2 Criteria restrictive to non-elderly

The elderly being the first priority for assistance was fair and understandable. As citizens who have already contributed to the country, it is correct that they should be at the front of the line. The White & Yellow Cross repaired the homes of their elderly clients. SMDF also repaired homes of the elderly. The NRPB home repair program also focusses, based on the criteria established by government, primarily on the elderly. The Ministry of VSA's policy²¹ document regarding Roof Repair, the precursor to NRPB's Home Repair program, established that the elderly and families with young children were the first priority. The same document establishes that pensioners who own their own home and have an income that does not exceed ANG. 4000,00 monthly as well as homeowners who rent out rooms or apartments and their total monthly income is less than ANG. 4000,00 will qualify for assistance²².

It is however unclear what methodology was used to establish the ANG. 4000,00 threshold. Queries to the Ministry of VSA did not result in a clear answer. It should be noted that the ANG. 4000,00 income limit was established by the Council of Ministers.

significantly in the past 10 years, and should be ready for further adjustments to current climate of rapid change. Greater selectivity, more flexibility, and improved efficiency within its chosen areas of intervention are needed going forward if a global institution such as the Bank is to remain useful and relevant and show concrete results in a fast changing world'.

¹⁹ The Intergovernmental Panel on Climate Change—IPCC, has concluded that it is likely that the frequency of intense hurricanes will increase with future anthropogenic climate change. The increases are substantial, approaching a doubling in frequency of Cat 4 and 5 hurricanes. The IPCC also concluded that the current 'warming of the climate system is unequivocal'.

²⁰ Category five Hurricane Dorian struck the Bahamas on September 1, 2019 causing an estimated \$7 billion in damages. The death toll currently stands at sixty-five (65).

²¹ Post-Irma aid to homeowners. Returning dwellings to a livable state (phase 1) 'Roof Repair Assistance'

²² The Ministry of VSA's policy document also established that applicants will be considered according to a broader criterion, which included owners with a higher income, in further phases.

Initially, it was not clear to the policymakers if the total was a gross or net amount. However, the figure has now been determined to be the gross²³ amount.

Although it was important to ensure that the elderly was (firstly) taken care of, a vulnerable (non-elderly) section of the community has been excluded; persons who exceed the ANG. 4000,00 salary threshold. According to the NRPB, 29 persons that have applied for assistance did not qualify as a result of the income indication. While this figure does not seem significant, when one realizes that there are families and households behind those figures, it brings the issue into perspective. Consider for a moment persons who are in need of help but did not bother to apply due to the established low salary threshold. Factor in extenuating circumstances, such as a single income household and the care for elderly parents, and this figure could potentially be much higher. While the criteria that is currently being used by the NRPB no longer specifies ‘pensioners’ but applicants or beneficiaries, it is safe to assume, considering the high prices of real estate on Sint Maarten, that there are not many beneficiaries, who are not pensioners, with an income of less than ANG. 4000,00 (gross) per month, who own their own home.

4.3 No immediate assistance for catastrophic damaged homes

The grant agreement for the Home Repair program does not include catastrophic damaged homes. This means that persons that require assistance to repair their catastrophically damaged homes will not qualify under the requirements of this Home Repair program. Assistance is limited to non-structural repairs, with improved standards. The NRPB has hinted that there are intentions to develop a Home Rebuilding program in the future. Further details were not provided.

4.4 Persons who cannot prove ownership (succession land)

A considerable number of persons are unable to provide proof of ownership of the property due to a succession conflict. As a result, while they have successfully completed the social assessment, they will not qualify for assistance under the Home Repair program. The NRPB has however indicated that their objective is to assist as many persons as possible. Consequently, the criteria will be relaxed as much as possible once persons can produce some form of legal document, short of a deed, confirming ownership or permission to stay on the property.

²³ To compare: the current minimum wage is Naf 8.83/hour (\$4.62) and Naf 1,531/month (\$821).

Male, age 73, Dutch

This former educator is currently residing with his daughter and grandchild in a small section of his house that has remained standing after the passing of Hurricane Irma. His daughter and grandchild are financially dependent on him. The present living conditions are not suitable for the family as the space is very limited. For example, dishes are presently done on the outside of the home. His income comprises of a pension and other additional benefits received from SZV. Since the hurricane he has applied to the Roof Repair program. He has however encountered difficulty receiving assistance as he cannot produce a deed to the property, which he is currently occupying and has been living on for the past 20 years.

As a result, he cannot qualify for assistance under the NRPB's Home Repair program. He has also approached the Red Cross but was informed that no assistance can be provided as the program had reached its final stage. He has considered moving, but with his income, he cannot afford the rental prices that are being asked and no social homes are available. In his view the process to receive assistance is tedious and takes a considerable amount of time before a response is received.

The entire situation has him feeling that he is not moving forward and he is concerned about his 3 year old grandchild as the lack of space is worrisome and frustrating. When questioned about what he expects from government, he indicated that government should provide more affordable housing and help vulnerable individuals, especially the elderly, get back on their feet.

4.5 Unrealized targets

As previously mentioned in chapter 2, one of the main concerns from persons within the community regarding the Red Cross was that assistance seemed to have been designated to certain areas and not others. The Red Cross clarified that an agreement with government was the basis of their focus on districts that were considered to have suffered the most damage.

A few organizations that set out to execute a huge number of roof repairs fell short of their targets.

The common thread seems to be incorrect calculations of the damages due to lack of data. Additionally, many persons received building materials through the assistance of the Red Cross, the strategy, that through jollification or enlisting contractors persons would be able to build back their homes, proved not to be successful as many could not afford the labor cost.

4.6 Inadequate repairs

Generally, most projects were limited by the available resources and scope of the project, most organizations acknowledged this restriction in the event it limited the execution. Some complaints from in and out of government pertaining to the execution of some roofs under in particular UNDP's project was reported. The Ombudsman has attempted to get clarification from UNDP pertaining to the project and the complaints, however had not received a response up to the time that this report was being finalized.

4.7 Lack of social/affordable housing

The chronic lack of social housing on Sint Maarten, described by some as an epidemic, is a serious challenge and an ongoing concern. Many individuals are left with no choice but to remain in their current substandard living condition. In addition to the lack of social housing,

which is attributed to skyrocketing rental prices and the insufficiently regulated housing rental market, which in some cases leads to exploitation (high prices, deplorable housing conditions, etc.) Furthermore, the organization (SMHDF) that is responsible for social housing is in dire straits. In short, the challenges are many and solutions are not readily available. The expectation nevertheless is that some of the immediate concerns of the foundation will be addressed with the assistance of the Trust Fund in the form of home repairs, and technical assistance that will look at addressing the identified structural (organizational) deficiencies of the foundation.

4.8 Insufficient Post Disaster Planning

Insufficient post disaster recovery planning and an overall lack of data regarding the most vulnerable groups which resulted in poor communication from government with respect to relief procedures as well as insufficient cohesion between government agencies and aid organizations.

4.9 Shelter inhabitants ineligible to receive financial assistance

Transitional shelter inhabitants are generally not qualified for government financial aid due to living in the temporary shelter and as a result having no expenditures, which limits the effectiveness of the shelter program. This occurrence does not coincide with the objective of the transitional shelter which is to get persons back on their feet and into society, leading their normal lives.

4.10 Neglect of undocumented persons

Undocumented persons form a part of the community and oftentimes, when employed, contribute to government coffers via the payment of taxes. However, insufficient attention is paid to these persons during the pre and post disaster phases.

5. Conclusion

Since the passing of Hurricanes Irma and Maria two years ago Sint Maarten has come a long way. After exiting our homes, or what was left of them, and venturing out and witnessing the destruction before us that morning on September 6th, 2017 many wondered how long it would take to recover. Despite a few hotels still being closed and the rebuilding challenges of the airport, it would appear that Sint Maarten has recovered to a great extent, in large part due to the resiliency of the people.

However, one should not overlook that there are many in need in our society. The hurricanes only intensified and exposed that need. Nowhere is the need more evident than in the area of housing. It would not be an exaggeration to call it a crisis. Albeit delayed, Home Repair projects are finally starting to come on line while others remain in the planning and development phase.

The reasons for the delays have been well documented; Sint Maarten's lack of capacity and expertise as well as the complex World Bank procedures²⁴.

Considering that the aforementioned factors were already a given when the decision was made by the Dutch government, regardless of their best intentions²⁵, to disburse the funds via an international organization (i.e. the World Bank), the delays cannot qualify as a surprise or unforeseen.

The subtitle of the Sint Maarten National Recovery and Resilience Plan is "A Roadmap to Building Back Better". However, we need not only to build back better, we need to "Build Back Better, faster". It is therefore incumbent upon our government to ensure this happens sooner rather than later. Any plan should aim to improve the actual situation of the citizens as quickly as possible so that there is a guarantee of acceptable standard of subsistence, now two years and counting. Hidden behind the numbers are real persons, entire families. Each year that passes is a year closer to the next monster hurricane that, due to the effects of climate change will inevitably come. We cannot continue to negotiate with science. Political pragmatism has to reckon with the reality of climate change and the circumstances under which many of our most vulnerable citizens continue to live in two years after the hurricane's destruction of Sint Maarten.

The objective of the report was to take a closer look at the home repair aspect of recovery and its impact on the people of Sint Maarten. This meant connecting with the individual, pass the veil/armor of resiliency; the smile, the friendliness, the positive attitude, that hard work ethic. It meant getting pass whatever they are doing, showing and expressing to keep going and taking a closer look at their day to day challenges. How does a person function when their main living conditions are severely compromised? When there is little to no roof over their head?

²⁴ Report: Focus on the Dutch Contribution to the reconstruction of Sint Maarten, *Algemene Rekenkamer* (2018)

²⁵ These were to ensure that the money would be properly spent and that all decisions on expenditure would be taken in accordance with high standards of ethical behavior (Report Dutch Audit Chamber 2018: Focus on the Dutch contribution to the reconstruction of Sint Maarten).

When in their home and with every gust of wind and bout of rain cannot tell whether they are in or outside? When the health of their entire family is compromised due to the condition of the home and they do not have the means to fix it? These are just some of the conditions we encountered when taking a closer look. There are persons living in these conditions two (2) years post Hurricane Irma. One cannot imagine the psychological effect living in a house where it seems as if the hurricane was just yesterday. Achieving this objective also meant taking a closer look at the different home repair projects. When outlining the projects a few common threads were uncovered; persons enduring different assessments, lack of data (on cost and human capital) contributing to incorrect calculations which resulted in some projects having to drastically downscale the amount of roofs that could be repaired, limited scope of projects and drawn out bureaucratic processes of the World Bank. While many projects will take a considerable amount of time before the effects are seen and felt, for these persons, every rain cloud, wind, threat of hurricane season, is reminder that they are not safe.

This prompted a closer look at our social infrastructure. Therein lies the ability of our people to bounce back faster and become self-reliant. The lack of social housing combined with the inability of cross sections of the community to afford the current rental prices contributes to an increasing number of hidden homelessness. The sheer number of persons waiting for accommodation from SMHDF and WYC have indicated is the case.

Then there is economic resilience, the different unemployment programs geared toward retraining persons for other sectors as to not solely rely on the hospitality sector is highly applauded. These types of initiatives are encouraged. However, taking a look at financial assistance and income on a whole for the most vulnerable groups (pensioners, single family homes, disabled and those who end up in temporary unfortunate situations like losing your home due to a hurricane) and it again reveals a degenerative social infrastructure. Due to the lack of an established poverty²⁶ line one would be making an educated guess but many of elderly are living in unacceptable conditions in part due to a meager pension. Interpretation of legislation and policies that conflict with the intention behind providing social assistance e.g. acquiring financial assistance for persons in the T-Shelter.

A broken social infrastructure that is bursting at its seams, Hurricane Irma highlighted how interconnected the social challenges are and revealed this social crisis. Our social infrastructure needs urgent attention, attention in the form of a vision for Sint Maarten, legislation that will address bigger picture and policies that in practice are practical and efficient. The continued instability of government while solutions to these social deficiencies are not forthcoming is of no help. There is a need to work together bringing forth tangible solutions post haste. As stated in the introduction this document is not meant to cast blame but to bring a perspective from the

²⁶ The latest Census survey 2011 results show that 75 percent of all households have less than ANG. 4000,00 (gross) income per month. 67.5 percent have less than ANG. 3000,00. Using the Nibud norm for St. Maarten, this would mean that 75 percent of the households live under the poverty line (Transparency International, St. Maarten National Integrity Assessment (2015) | Nibud survey 2014 Bonaire).

people still living thru the destruction of hurricane Irma. This also gives us another opportunity, since hurricane Luis in 1995, to readjust our contingency plan for the next hazard which then does not have to lead to a disaster.

6. Recommendations

Most of the bottlenecks highlighted are related to lack of timely and anticipated post-disaster recovery planning combined with a deficient social security system being in place. The Sint Maarten National Recovery and Resilience Plan identifies most of these impediments, including detailed needed interventions that will be required in the immediate, short, medium and long-term to address the identified challenges.

Too often however, plans are not effectively implemented. In this case, the NRPB has been established and is responsible for project implementation arrangements and coordination of the NRRP in partnership with the relevant ministries. The infrastructure is therefore - in principle - in place for effective project implementation. Proper and effective follow-up and implementation is required.

As indicated, the NRRP provides a comprehensive account of the necessary interventions that are required moving forward, nevertheless the Ombudsman makes and, in some cases, emphasizes the following recommendations based on the findings in this report:

- The present pace of home repair must be improved;
- Government should review the criteria for eligibility for Home Repair, taking extenuating circumstances into consideration;
- The need for proper data gathering and analysis, in terms of the population, especially regarding the elderly and other vulnerable persons, on which effective planning and policies can be based. This type of information is vital, particularly in the event of a natural disaster when fast decision-making is necessary;
- There must be better controls and coordination by government on (international) organizations executing repair works to ensure the quality of the work carried out;
- The National ordinance financial assistance must be reviewed and adjusted to tackle the challenges that persons currently face when transitioning from a temporary shelter/housing back into society;
- The need for affordable housing must be addressed with absolute urgency. While this is primarily the task of SMHDF, government has an equally important role based on international human rights law, specifically the right to adequate housing.

7. Special thanks

As the newly appointed Ombudsman I hold the role of being the ‘*Voice of the People*’ to heart and take it seriously. I have listened to the concerns of the people and will address those within my authority the best way possible. This project was launched in the very same way and I cannot thank the people of Sint Maarten enough for speaking up about your grievances, concerns and experiences. This report is written for government and parliament.

Special thanks to all community councils for their collaboration in holding the town hall meetings and getting the word out there about this project. To every organization that met with us and shared vital information: Red Cross, White & Yellow Cross, SMDF, Dr. J Enterprises, SMHDF, NRPB, Ministry of VROMI and Ministry of VSA, Helping Hands Foundation, Golden Age foundation, Consumer Coalition and Faith based leaders. To the media houses who assisted us with informing the public about our project: PJD2, Laser 101, 105.9 La Voix FM, SOS Radio 95.9 FM and 98.1 Pearl FM. To Peter and Diane Sagnia (Peter Sagnia Film & Video Production Agency).

To the hardworking and dedicated staff of the Bureau Ombudsman.

To the courageous persons that came out to the town halls, agreed to be interviewed, allowed us into their homes for the purpose of this project, I extend a big thank you.

The Ombudsman of Sint Maarten

Gwendolien Mossel, LL.M.

References

- Sint Maarten National Recovery and Resilience Plan.
- Ministry of Public Health, Social Development and Labor, policy document Post-Irma aid to homeowners, Phase 1, Roof Repair Assistance.
- Focus on the Dutch Contribution to the Reconstruction of Sint Maarten, *Algemene Rekenkamer* (2018).
- The Daily Herald Newspaper (numerous articles).
- Report: 'Assessment of the Effects and Impacts caused by Hurricane Irma', ECLAC, ECCB, Government of Sint Maarten.
- '*Eindrapporatge wederopbouw projecten*', White and Yellow Cross Care Foundation, 30 September 2018.
- Letter from SMDF to NRPB dated March 25, 2019 re. proposal for Home Repairs & Reconstruction.
- Sint Maarten Housing Development Foundation, financial statements 2017.
- Statutes Sint Maarten Housing Development Foundation.
- 1997 Performance agreement between the Island Government of Sint Maarten and the Sint Maarten Housing Development Foundation.
- Improving the World Bank's effectiveness. What does evaluation show?, World Bank (2005).
- Red Cross National campaign: The Netherlands helps Sint Maarten, second and fourth public report, 19 March 2018 and 6 September 2019.
- Transparency International, Sint Maarten National Integrity Assessment (2015).
- '*National Instituut voor Budgetvoorlichting*' (Nibud) survey Bonaire (2014).

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