

Mandates of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance; the Working Group of Experts on People of African Descent; the Special Rapporteur on the right to development and the Independent expert on the promotion of a democratic and equitable international order

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9 April 2025

Excellency,

We have the honour to address you in our capacities as Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance; Working Group of Experts on People of African Descent; Special Rapporteur on the right to development and Independent expert on the promotion of a democratic and equitable international order, pursuant to Human Rights Council resolutions 52/36, 45/24, 51/7 and 57/7.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning the **right to self-determination of the people of Bonaire and the economic and social conditions on Bonaire since it became a public entity of the Netherlands in 2010.**

According to the information received:

Background

Bonaire is a Caribbean island off the coast of Venezuela. It was first inhabited by Indigenous peoples who migrated north from South America. The earliest known settlers, the Arkaikos, arrived from Venezuela around 2500 BC. They were later followed by the Caquetio people, who settled on the island around 1000 AD.

Spanish colonization of Bonaire began in 1527, with much of the Indigenous population forcibly relocated to Hispaniola to work as enforced laborers in the copper mines. The Dutch took control of Bonaire in 1636, turning it into a plantation of the Dutch West India Company and trafficking enslaved Africans to the island.

While the Netherlands formally abolished slavery in 1863, it was only after the mandatory 10-year apprenticeship period ended in 1873 that the enslaved people in the Dutch Caribbean were able to exercise their freedom. Today, the majority of the population on Bonaire are of African descent.

In 2022, the Dutch Prime Minister issued a public apology for the role of the Dutch Government in the enslavement of people in areas it colonized. The apology was not accompanied by a commitment to reparations. Instead, the Dutch Government announced it would spend 200 million euros on projects raising awareness of the Netherlands role in slavery, and 27 million euros on a museum on the Netherlands role in slavery.

In 1954, Bonaire became part of the Netherlands Antilles, an autonomous Caribbean country within the Kingdom of the Netherlands. On 15 December 1955, United Nations General Assembly Resolution 945 removed the Netherlands Antilles (including Bonaire) from the United Nations list of Non-Self-Governing Territories, thus relieving the Netherlands from its reporting obligations, based on the notion that the Netherlands Antilles had achieved sufficient autonomy.

On 10 October 2010, the Netherlands Antilles was dissolved, and Bonaire was designated a direct 'public entity' of the Netherlands (along with the islands of Saint Eustatius and Saba). This change reportedly occurred without adequate consultation or support from the people of Bonaire. It effectively resulted in the unilateral annexation of Bonaire into a larger state, the Netherlands, without the freely expressed will of the people, contrary to the right to self-determination.

The right to self-determination

Despite reported opposition from the people of Bonaire, including in referenda in 2004, 2010, and 2015, Bonaire remains a public entity of the Netherlands. There have been public demonstrations against the change, and, in 2013, a petition by 3,500 Bonerians was sent to the King of the Netherlands, demanding a referendum to either accept or reject the new public entity status. In the 2015 referendum, 65.55% voted against the current public entity status.

As a public entity, governing power is shared between two entities: the locally elected Bonaire Island Council, headed by a mayor appointed by the Dutch Crown; and the central Dutch Government, represented by the National Office for the Caribbean Netherlands and headed by a Lieutenant-Governor. The central Dutch Government has the authority to decide which external laws and regulations are applied in Bonaire, regardless of popular support.

Bonerians are not represented in the Dutch Second Chamber (the main chamber of the Dutch Parliament); they cannot vote for representatives, nor do they have a designated representative. Until 2019, Bonerians also had no influence over the Dutch First Chamber (the Senate). As a result of amendments to the Dutch Constitution in 2018, Bonerians can now vote for members of the Electoral College for the Caribbean Netherlands, and these elected members can, in turn, vote for members of the Senate.

Bonerians have reportedly called for Bonaire to be listed on the United Nations list of Non-Self-Governing Territories, which would highlight that the people of Bonaire have not fully exercised self-determination. This listing would subject Bonaire to oversight through the Special Political and Decolonization Committee (Fourth Committee of the General Assembly) and require the Netherlands to submit regular reports about Bonaire's progress towards self-governance. On 25 February 2014, the Bonaire Island Council adopted a motion declaring that since the Netherlands Antilles was dissolved on 10 October 2010, Bonaire had become a non-autonomous territory and should be listed on the UN list of Non-Self-Governing Territories.

In 2020, the Dependency Studies Project conducted an assessment of the level of self-governance in Bonaire in accordance with international human rights standards on the right to self-determination. The assessment found that the people of Bonaire did not enjoy sufficient self-governance in exercise of their right to self-determination. This conclusion supports calls to list Bonaire on the United Nations list of Non-Self-Governing Territories. The Assessment determined that:

- The imposition of the public entity status was in breach of the people of Bonaire’s right to self-determination, given the repeated disapproval of the people through democratic expression in multiple referenda;
- The Dutch Government has unilateral authority to determine which external laws and regulations apply in Bonaire, with insufficient consultation with the people of Bonaire;
- The people of Bonaire have limited voting rights and no effective representation in the Netherlands; and
- There is a significant disparity in access to economic and social programs for the people of Bonaire and Dutch citizens in the European Netherlands.

Economic and social conditions since 2010

According to the information received, after Bonaire became a public entity of the Netherlands in 2010, the cost of living soared, and poverty increased. It is reported that contributing factors include the currency change from the Netherlands Antillean guilder to the U.S. dollar, the imposition of a new Dutch taxation system, dependency on Dutch imports, and an influx of European Dutch settlers, which has reportedly increased pressure on local resources and opportunities.

It is alleged that many local residents have been priced out of essential resources, including housing, electricity, and food. Additionally, the influx of settlers has led to a significant decline in Indigenous Bonaire people as a percentage of the total population since 2010, and there are concerns about the decreasing use of Papiamentu, the local language, in schools.

In addition to the soaring cost of living, it is also alleged that the people of Bonaire do not receive adequate support from the Netherlands under the current governance arrangements. Bonerians reportedly receive lower levels of social protections – including lower minimum wage, pension, and social security benefits – despite facing higher costs of living than in the European Netherlands. Reports indicate that one in three Bonerians lives in poverty.¹ In May 2022 and again in May 2023, hundreds of people in Bonaire protested the inequality between the European and Caribbean parts of the Netherlands. Protesters held

¹ Minimum Income Standard Committee of the Caribbean Netherlands (2023) [A dignified existence A minimum income standard that raises prospects for self-reliance](#), p 75.

signs with statements such as ‘Do I have to eat once a day?’ and ‘We also pay taxes’.

Concerns have also been raised about the high imprisonment rates on Bonaire and the prioritization of investment in new prison facilities over strategies to reduce incarceration.² In 2014, the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment highlighted Bonaire's high prison population rate (approximately 460 per 100,000 people) and warned that if the capacity of new prison facilities reached full capacity, Bonaire could rank among the highest imprisonment rates in the world.³ A 2015 report further noted that the prison population rate in the Caribbean Netherlands (Bonaire, St. Eustatius, and Saba) is five times higher than in the European Netherlands.⁴ Additionally, Bonaire has the highest ratio of police officers to inhabitants compared to any other part of the Netherlands.⁵

While we do not wish to prejudge the accuracy of these allegations, we express our concern over the lack of meaningful progress in fulfilling the people of Bonaire’s right to self-determination, particularly in determining Bonaire’s governance and ties with the Netherlands. Furthermore, we remain concerned about the economic and social conditions on Bonaire, the level of support provided by the Netherlands, and the lack of reparations for the harm caused to Bonerians as a result of slavery and colonialism.

We note that other United Nations mechanisms have also expressed concern about the situation on Bonaire. The Committee on the Elimination of Racial Discrimination has noted “*with concern reports about the obstacles faced by the peoples of the Caribbean part of the Kingdom of the Netherlands in fully realizing their right to self-determination*” (CERD/C/NLD/CO/22-24, para 29) and recommended the Netherlands “*ensure autonomy of the peoples of the Caribbean part of the Kingdom and ensure their participation in decision-making processes in the State party that are of particular concern to them*” (CERD/C/NLD/CO/22-24, para 30).

The Committee on the Rights of the Child has expressed concern that children in the Caribbean part of the State party do not enjoy the same rights as children in the European part of the Netherlands (CRC/C/NLD/CO/4, para. 24).

We also note that, following his country visit to the Netherlands in 2018, the Independent Expert on human rights and international solidarity noted there were no standards for the level of provision of employment, income and social security in Bonaire, whereas this is the case in the European part of the country, and that “*since direct rule by the Netherlands was instituted, many people in Bonaire have found that their financial situation has worsened*” (A/HRC/41/44/Add.2, para. 89). The Independent Expert also noted the “*clear disparity in Bonaire when it comes to housing. At various locations around the island there are luxury residential complexes that are often populated by European Dutch people, whereas the outlying neighborhoods of*

² European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (2014) [Report to the Government of the Netherlands on the visit to the Caribbean part of the Kingdom of the Netherlands](#), p 21.

³ Ibid.

⁴ Research and Documentation Centre (2015) [Determinants of the prison population rate in the Caribbean Netherlands](#).

⁵ CBS Statistics Netherlands (2024) [Monitor of Well-being Caribbean Netherlands](#).

Kralendijk and Rincon have a preponderance of badly maintained, run-down housing where local islanders live” (A/HRC/41/44/Add.2, para. 91).

In connection with the above alleged facts and concerns, please refer to the **Annex on Reference to international human rights law** attached to this letter which cites international human rights instruments and standards relevant to these allegations.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Please provide any additional information and/or comment(s) you may have on the above-mentioned allegations.
2. Please indicate what measures the Netherlands has taken, or plans to take, to ensure that the people of Bonaire can fully exercise their right to self-determination in accordance with international law. Please include:
 - a. Efforts to assist the people of Bonaire in developing self-government and ensuring the progressive development of their free political institutions;
 - b. How the Netherlands has taken due account of the political aspirations of the people of Bonaire;
 - c. Steps taken to implement the results of the 2015 referendum, in which the people of Bonaire rejected their status as a ‘public entity’ under Dutch law; and
 - d. Steps taken to implement the 25 February 2014 declaration of the Bonaire Island Council, which called for Bonaire to be added to United Nations list of Non-Self-Governing Territories.
3. Please comment on the economic and social conditions on Bonaire since it became a public entity of the Netherlands in 2010. Please outline the support the Netherlands is providing to ensure that Bonaire residents have adequate access to housing, food, electricity and other essential resources. Additionally, please comment on the disparity between the minimum wage, social benefits and pension for residents in Bonaire and those in the European Netherlands.
4. Please provide information about measures taken by your Excellency’s Government in realizing the right to development of the people of Bonaire in line with the 1986 Declaration on the Right to Development.
5. Please outline the measures the Netherlands has taken or plans to implement to provide reparations for its role in slavery and colonialism affecting the people of Bonaire.

This communication and any response received from your Excellency's Government will be made public via the communications reporting [website](#) within 60 days. They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

Please accept, Excellency, the assurances of our highest consideration.

K.P. Ashwini

Special Rapporteur on contemporary forms of racism, racial discrimination,
xenophobia and related intolerance

Bina D'Costa

Chair-Rapporteur of the Working Group of Experts on People of African Descent

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Annex

Reference to international human rights law

In connection with above alleged facts and concerns, we would like to recall your Excellency's Government's obligations under international human rights laws, norms and standards, as well as authoritative guidance on their interpretation.

Article 73 of the United Nations Charter stipulates that Members of the United Nations which have responsibilities for the administration of territories whose peoples have not yet attained a full measure of self-government must: ensure with due respect for the culture of the peoples concerned, their political, economic, social and educational advancement, their just treatment, and their protection against abuses; develop self-government, to take due account of the political aspirations of the peoples, and to assist them in the progressive development of their free political institutions, according to the particular circumstances of each territory and its peoples and their varying stages of advancement; to further international peace and security; promote constructive measures of development, to encourage research, and to co-operate with one another and, when and where appropriate, with specialized international bodies with a view to the practical achievement of the social, economic, and scientific purposes set forth in this Article; and transmit regularly to the Secretary-General for information purposes, subject to such limitation as security and constitutional considerations may require, statistical and other information of a technical nature relating to economic, social, and educational conditions in the territories for which they are respectively responsible.

We also refer to the **International Covenant on Civil and Political Rights (ICCPR)** and the **International Covenant on Economic, Social and Cultural Rights (ICESCR)**, both of which were ratified by the Netherlands on 11 December 1978. Common article 1 of the ICCPR and ICESCR protects the right of all peoples to self-determination and by virtue of that right, to freely determine their political status and freely pursue their economic, social and cultural development. Article 1(3) states that States Parties, including those having responsibility for the administration of Non-Self-Governing and Trust Territories, shall promote the realization of the right to self-determination, and shall respect that right, in conformity with the provisions of the United Nations Charter. Article 2.3 of the ICCPR provides that victims of human rights violations are entitled to an effective remedy.

We also wish to draw your Excellency's Government's attention to **United Nations General Assembly resolution 1514 (XV) on the Granting of Independence to Colonial Countries and People**, which states 'Immediate steps shall be taken, in Trust and Non-Self-Governing Territories or all other territories which have not yet attained independence, to transfer all powers to the peoples of those territories, without any conditions or reservations, in accordance with their freely expressed will and desire, without any distinction as to race, creed or colour, in order to enable them to enjoy complete independence and freedom'. **United Nations General Assembly resolution 1541 (XV) on the Principles which should guide members in determining whether or not an obligation exists to transmit the information called for under article 73e of the Charter** states that 'Integration with an independent State should be on the basis of complete equality between the people of the erstwhile Non-

Self-Governing Territory and those of the independent country with which it is integrated. The people of both territories should have equal status and rights of citizens and equal guarantees of fundamental rights and freedoms without any distinction or discrimination; both should have equal rights and opportunities for representation and effective participation at all levels in the executive, legislative and judicial organs of government' (principle VIII) and 'Integration should have come about in the following circumstances:

- (a) The integrating territory should have attained an advanced stage of self-government with free political institutions, so that its peoples would have the capacity to make a responsible choice through informed and democratic processes;
- (b) The integration should be the result of the freely expressed wishes of the territory's peoples acting with full knowledge of the change in their status, their wishes having been expressed through informed and democratic processes, impartially conducted and based on universal adult suffrage. The United Nations could, when it deems it necessary, supervise these processes.

We also refer to the **International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)**, which the Netherlands ratified on 10 December 1971. Article 2(1) contains a comprehensive prohibition of all forms of racial discrimination and establishes the duties of State parties to prevent and address all manifestations of racial discrimination. Article 5 obligates States Parties to prohibit and to eliminate racial discrimination in all its forms and to guarantee the right of everyone, without distinction as to race, colour, or national or ethnic origin, to equality before the law. This expressly includes in the enjoyment of political rights, in particular the right to participate in elections-to vote and to stand for election-on the basis of universal and equal suffrage, to take part in the Government as well as in the conduct of public affairs at any level and to have equal access to public service. Article 5 also expresses includes equality before the law in the enjoyment of the right to housing, the right to public health, medical care, social security and social services; and the right to education and training. Article 6 obliges States Parties to assure that everyone within their jurisdiction effective protection and remedies against any acts of racial discrimination which violate human rights and fundamental freedoms contrary to the Convention, as well as the right to seek just and adequate reparation or satisfaction for any damage suffered as a result of such discrimination.

We would also like to recall the **United Nations Declaration on the Right to Development** which provides in its article 1 (2): "The human right to development also implies the full realization of the right of peoples to self-determination, which includes, subject to the relevant provisions of both International Covenants on Human Rights, the exercise of their inalienable right to full sovereignty over all their natural wealth and resources", and in its article 5 that "States shall take resolute steps to eliminate the massive and flagrant violations of the human rights of peoples and human beings affected by situations such as those resulting from apartheid, all forms of racism and racial discrimination, colonialism, foreign domination and occupation, aggression, foreign interference and threats against national sovereignty, national unity and territorial integrity, threats of war and refusal to recognize the fundamental right of

peoples to self-determination.”

We also refer to General Assembly resolution 60/147 (of 16 December 2005), which sets out the **Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law**, which outline the obligation of States to provide reparations for serious human rights violations.

We also wish to draw you Excellency’s Government’s attention to the Committee on the Elimination of Racial Discrimination’s **general recommendation No. 34 (2011) on Racial Discrimination Against People of African Descent**, which recommends States ‘effectively acknowledge in their policies and actions the negative effects of the wrongs occasioned on people of African descent in the past, chief among which are colonialism and the transatlantic slave trade, the effects of which continue to disadvantage people of African descent today’.

Finally, we refer to the report of the former Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and racial intolerance, Ms. E. Tendayi Achiume, **on reparations for racial discrimination rooted in slavery and colonialism** ([A/74/321](#)). In this report, the Special Rapporteur recommends ‘Member States should adopt an approach to reparations that accounts for not only historical individual and group wrongs, but also the persisting structures of racial inequality, discrimination and subordination that have slavery and colonialism as their root causes. Reparations entail accountability, including the transformation and rehabilitation of those structures and relations fundamentally distorted by slavery and colonialism, and that sustain contemporary racial inequality, discrimination and subordination. States should also adopt a comprehensive approach to reparations, pursuing the range of forms identified in the present report according to the respective context. A comprehensive approach entails an intersectional approach to understanding and fighting racial discrimination by accounting for gender, class, disability status and other social categories. It also entails reparations for violations of socioeconomic rights as well as civil and political rights’.