

NETHERLANDS ANTILLES NGO REPORT

on the

IMPLEMENTATION OF THE CONVENTION ON THE RIGHTS OF THE CHILD

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Presented by : SIFMA and FAJ

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ABBREVIATIONS AND SIGNIFICATIONS

SIFMA Sentro di Informashon I Formashon na bienestar di Mucha, Centre for Information and Formation for the Welfare of Children

FAJ Federatie Antilliaanse Jeugdzorg, Antillean Federation of Youth Care.

N.A. Netherlands Antilles

NGO Non Governmental Organisation

GO Governmental Organisation

Jona Jeugdoverleg Nederlandse Antillen ,Youth Consultation Netherlands Antilles

Sebiki Bonairiaans Centrum voor Kinderopvang, Centre in Bonaire for Day Care

SVJ Stichting Vormingscentrum voor de Jeugd, Foundation for Formation of Youth

SIGNIFICATIONS

Windward Islands St.Maarten, Saba and St. Eustatius

Leeward Islands Curacao and Bonaire

Day care Centre A centre for children from birth till 4 years

After School Activities Programmes for children after school: after 1'o clock a.m.

Make Shift School Schools for Immigrant children who cannot attend regular schools, organized by immigrants

Introduction

“ It is generally believed that the 20th Century became more child-oriented (Jeroen J.H. Dekker “ The Century of the Child”, in the International Journal of children’s Rights 8: 133-15-, 2000)

Dekker states” children got more special rights than ever before in history.

Also science became focused on children’s behaviour in a historically unprecedented way.

The development of child-oriented rights started in the 19th century with the Factory Acts, the Child Acts and the Compulsory Education Acts and culminated in the 1989 United Nations Convention on the Rights of the Child.

However children’s labour has become very important again in the Western world as a contribution to the children’s income. Children have become important consumers”.

It is within this perspective that we analyzed the Convention on the Rights of the Child, for the Netherlands Antilles.

On one hand we are influenced by the scientific developments on child’s behaviour, we know exactly what can go wrong in their development, and we have all the modern influences as television, video, e-mail and internet .

On the other hand some of the “ Acts” mentioned by Dekker, only came into force in the Netherlands Antilles on a later moment compared with the Western World. That means that they did not always have the time to adjust and make them work.

The Netherlands Antilles are part of the Dutch Kingdom, however in the Netherlands Antilles we encounter a lot of problems with children because of poverty, their legal status, instability of family structure, high amount of teenage mothers and problems caused by natural disasters like hurricanes.

If we put the modern influences together with the specific Antillean , Caribbean situation, then it will be clear that sometimes we are out of balance. For example we have acts in place , but we don't have the funds and the human resources to control these acts. We have cable television, internet and e-mail, but parents don’t know how to give guidance to their children on these matters.

However we see also in the Netherlands Antilles, that we are becoming more and more child-oriented.

Background to the report

In March 2001, Mrs. Heather Stewart of Unicef Barbados, approached Sifma's director, Angela Juliana-Dekker, to make up a report on the present situation of children in the Netherlands Antilles. On Sifma's positive response to Mrs. Stewart of Unicef, the director of Sifma was invited by the Liaison Unit for NGO Group for the Convention on the Rights of the Child to submit this concrete information.

The Islands of the Netherlands Antilles are Bonaire and Curacao as the Leeward Islands and Saba, St. Eustatius and St.Maarten as the Windward Islands.

The Foundation for Children's Welfare Stamps in The Netherlands (Stichting Kinderpostzegels Nederland) was approached by Sifma for financial support in order to be able to travel to the five islands of the Netherlands Antilles, to gather information on the Rights of the Child. As funding agency they were willing to give some financial support under the condition that the report should be realized in close cooperation with the Antillean Federation of Youth Care, being an umbrella organization for youth groups in the Netherlands Antilles.

The preparations started in May 2001 and meetings were arranged on all Islands of the Netherlands Antilles.

What are the objectives of SIFMA and FAJ ?

SIFMA , Sentro di Informashon i Formashon na bienestar di Mucha, Centre for Information and Formation for the Welfare of Children, is an Antillean organization and has as such offices on Curacao and St.Maarten and executes programmes on the 5 Islands of the N.A.

Sifma's mission is to promote Early Childhood Care and Development and a harmonious family life in the Antilles especially for those children and families who are at risk

General objectives:

- a. Early childhood Care and Development
- b. Parenting
- c. Teenage parenthood

In order to implement the above mentioned objectives Sifma works with public and private sector agencies and other NGO's.

Sifma executes the following programmes:

Courses for caregivers working in Day Care Centres
Early Detection of developmental problems by young children

Parental support
Prevention of teenage pregnancy

Besides that Sifma gives advice to Government on policies for Early Childhood Care and Development.

Sifma's objectives are based on the Convention on the Rights of the Child

FAJ is the Antillean Federation for Youth Care.

The FAJ is an umbrella organization for youth groups on the five islands of the Netherlands Antilles.

On each Island there is a Board (Kring FAJ) formed by local people.

The general objective for the FAJ is to promote effective youth care in the Netherlands Antilles by means of:

Stimulating, starting and making others conduct activities leading to a prosperous youth welfare work and a better life and development situation for children and youth.

Constantly following, examining and counseling as a non-governmental platform of the government's general policy on youth affairs

Giving support to the members of the Federation with regard to policy making, the drawing of projects and their execution

Stimulating of Youth participation with special attention to youngsters with lesser perspectives being engaged into effective forms of cooperation between NGO's and GO's on one hand and on the other hand mutually between NGO's

In order to implement the above mentioned objective, the FAJ works with all youth groups on the 5 islands of the N.A. in the field of education, leisure and cultural activities.

Methodology

In order to get as much feedback and information as possible, we developed the following strategy.

We sent invitations to all NGO's and other organizations we know as being involved with children and parents. We invited them to be present at a workshop in order to get information on the Convention on the Rights of the Child, to discuss these rights and to draw conclusions about the actual situation, and about what should be changed.

These workshops were organized for the 5 islands of the N.A.

We informed them about the aim of the workshop and, if they couldn't make it to the meeting, we asked them to send us the information in writing.

We prepared an information and discussion session, where we showed them all the information on the Convention of the Rights of the Child.(see appendix) , its history in general and for the N.A., and information on the different clusters of the Rights of the

Child. In addition we compiled an analysis of the Government report, which we shared with them in order to be able to compare it with the real situation on the islands. A total of 54 organizations participated in the workshops. We organized them twice on St.Maarten, upon request of some organizations who had not been able to be present during the first workshop.

Per island the attendance was as follows:

Bonaire 11, Curacao 10 ,Saba 12 St.Eustatius 9 and St.Maarten12 organizations.

During the workshop the organizations got the handouts with the explanation about the clusters of articles, they got the analysis of the Government report and some booklets of Unicef Barbados, concerning the Rights of the Child.

The workshops were very fruitful. The participation was very positive and constructive. The information gathered from these workshops form the base of this report.

We also received information in writing from different organizations and from a lawyer on St.Maarten.

A report from a youth group in Curacao was also received. A short summary of this report (see Opinion of Children) will be given.

This report reflects the comments and recommendations of those agencies and individuals that responded. However the report remains the sole responsibility of SIMA and FAJ.

AUGUST 2001

SIFMA

FAJ

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I GENERAL MEASURES OF IMPLEMENTATION

Articles 4, 42, 44.6

A Article 4. Measures taken to harmonize national laws and policies with provisions of the Convention

Government of the Netherlands Antilles has ratified a new civil code and since January 2001 this has come into force. It includes among others new rules on parental authority and access to minor children. Besides that the articles pertaining to discrimination against children, have been abolished (legitimate, illegitimate and natural)
See Netherlands Antilles report for details on legislation)

B. Article 42 Coordinating children's policies and monitoring the implementation of the Convention

What is missing is more information on the Convention to the general public; a structured system of reporting information to Government and NGO's; and an independent administrative agency initiated by Government to monitor the Convention.

Making use of mass media is not enough, more work with NGO's, working on behalf of children and parents, has to be done especially on district level, in daycare centres, schools and out of school activities, with churches and others.

The Jona meeting is not known by most of the non governmental organizations and the results of these meetings are hardly known by them.

A research on how to set up a better communication system concerning the Convention, has been done by the Task Force Antillean Youth (June 2001). This research was targeted at getting information about what schools, and in particular principals of primary schools, think about the image of the Convention and about what their needs are concerning communication about the Convention. The research took place in Curacao

Conclusion was that the image is negative, and more has to be done on communication, especially rights and obligations and that it can only be successful if it takes place in combination with the parents.

During the hearings on the islands, the participants brought fore-ward that on the Windward Islands Sifma is the only organization giving information on the Convention. In Curacao the information is given ad hoc by different organizations .On Bonaire Sebiki works on the rights of the child in a consistent way.

The work FAJ is doing is based on the Convention on the Rights of the Child (“ Visie en uitvoering 1998-2002: Vision and Execution, June 20, 1998) .In their annual meetings for all members of the five islands, special attention is given to the Rights of the Child and also on the International Day of The Rights of the Child on November 20th.

A lawyer on St.Maarten gave the advice to go into all daycare centres, after school programmes and schools in order to give the children the correct information on their rights.

Sifma has weekly radio and television programmes on the Rights of the Child during the whole year, with special attention in the month of November (celebrating the anniversary of the Convention)

C. Article 44.6 Publicizing the provisions of the Convention

To date the publicizing of the Government report did not take place. During all the hearings on the islands with the Organizations, complaints were expressed by the participants, that they were not aware of the fact that Government had this report ready since March 2001.

Sifma and FAJ are committed to raising the level of awareness to the general public on the Convention. Its pro-active approach reaches parents, daycare centres, schools, after school activities and the public at large. Both organizations are more active on the Windward Islands on the Convention, because Curacao has besides SIFMA and FAJ more organizations working on it. More cooperation between GO's and NGO's in Curacao would be favorable for the Convention.

Publicizing the report

The report should be readily accessible to the public. For example the media, community centres, schools, day care centres and in particular NGO's.

II DEFINITION OF THE CHILD

Article 1

The following concerns were expressed during the workshops on the 5 islands of the Netherlands Antilles.

- Compulsory education ends at the age of 15 years. Government doesn't control this ordinance stringently enough.
In Curacao many children do not attend school. The reasons are, that they are too old for primary school, that they dropped out of secondary education, that the children are undocumented, and because of lack of food and clothes at home. In order to alleviate the latter need, a service club provides some of the schools with breakfast and lunch. Besides that there is a group of undocumented children, who are not attending school.

On St.Maarten a lot of children of undocumented parents (estimated at 500) are not attending school, some of them attend “ make shift schools” .There is a plan for a “holding school”, but it is not in operation. In preparation is a “ transition school” where children who stay behind, because of e.g. language or other problems, get special guidance during a year to fit into the regular system. It is the intention that this will start before the end of 2001, depending on funds from Holland .

- Selling alcohol to children younger than 16 years is punishable. There should be more control on this law. More awareness by parents that their children are not allowed to buy alcohol is needed.
On the other hand there is no law or ordinance that prohibits children till a certain age from drinking alcohol.
- Minimum age for employment is 15 years: however there is not enough control on this issue, seeing children doing hazardous work, e.g. in garages, construction and in supermarkets.

III GENERAL PRINCIPLES

Articles 2, 3, 6, 12

A Article 2 Non- discrimination

Children of undocumented parents on St.Maarten, Curacao and Bonaire cannot officially attend school and are deprived of proper medical care. On St.Maarten the number of undocumented children is very high compared to the other islands. This came out of the meetings.

B Article 3 Best interest of the child

There are articles to protect the child, however on the Windward Islands there are no foster homes in place. As a consequence children, who cannot stay in their families, are dependent on foster families, if available, or they have to go to Curacao, Aruba or Bonaire. Because of the geographical distance, they see their parents only two or three times a year.

Other problems are the difference in language spoken on the islands and the difference in culture. These have negative consequences for the social emotional development of the children.

C. Article 6 The right to life, survival and development.

Those children who are not entitled to medical care, because of the fact that they are undocumented, are in danger and those who are not going to school cannot make use of their right to development.

D. Article 12 Respect of the view of the child

On each of the islands exists a Youth Advisory Group in order to enhance the participation of youth in youth related programmes.
The youth Parliaments are only small groups of children, so most of the children are not involved in these activities.

During all meetings we got the information that most of the time the child's opinion is not taken into account not in school and neither at home.

IV CIVIL RIGHTS AND FREEDOM

Articles 7, 8, 13, 14, 15, 16, 17, 19, 37a

A. Articles 7 and 8 Name, Nationality and identity

See article Definition of a child: children of undocumented parents are not officially registered. As a consequence do not have an official name; this also means that they cannot obtain the Dutch nationality.

B. Article 13 Freedom of expression

That exists, but not always taken into account
See also article 12

C. Article 17 Access to appropriate information

Government doesn't reach minorities: Government should work more close with NGO's in order to reach children at risk.

Children should be more protected against information on television and internet; e.g. child pornography, information on the internet and the contacts made via internet with children .

D. Article 14 Freedom of thought, conscience and religion

No amendment on this article

E. Article 15 Freedom of association and peaceful assembly

No amendment on this Act

F. Article 16 Protection of privacy

Privacy: this seems to be a problem for most parents of teenagers. They do not know how far to go and where to set limits. Parents would like to get support in this matter

During workshops with teenagers, organized by Sifma, on Curacao, St.Maarten, Saba and St.Eustatius in 1999 teenagers expressed themselves on this issue and stated that they feel that their parents do not respect their privacy .

It is important to discuss the issue of privacy in groups with parents, teenagers and teachers .

G. Article 37 Protection from inhuman treatment, torture or degrading punishment.

It would be interesting to do a research on the effects of degrading punishment in the N.A. It appears to be very difficult to understand that disciplining a child is right, but that not all methods to reach that goal are the right ones.

A Child Abuse focus point doesn't exist on the islands. This makes it difficult to have an idea about what is going on at home and in schools ,to give the correct and consistent information and to give support to victims of abuse.

H. Article 19 Protection from abuse and neglect.

See under V

V FAMILY ENVIRONMENT AND ALTERNATIVE CARE

Articles 5, 9, 10, 11, 18, 20, 21, 25, 27.4

A. Articles 5 and 18.1 and 2 Parental guidance and responsibility

National NGO's work closely together to enhance family life. This is mentioned in the Antillean Government report.

However Government and NGO's on the smaller islands are convinced of the fact that more has to be done on parental support.

The education of the children in a lot of households is considered the responsibility of the mother, even if she is married or lives together with the father of the children. (see research on St.Maarten on authority in the family: Who is the boss?). These families need parental support.

More has to be done in order to make fathers more responsible for their children. From Government perspective a more aggressive policy in collecting alimony money is needed. Furthermore Government could give more guidance in the process of separation of the parents and shared responsibilities for the children. From the NGO perspective, more programmes for fathers have to be developed.

Children have the right to know who their father is; a lot of children don't have this information. Besides that it is important for their social emotional development that the father plays a role in their upbringing. It can have a negative impact on the self- esteem of boys and girls if that is not the fact.

FAJ did a research in 1999 on the situation of Parental support on the five Islands. The main purpose of the research was to define the activities for young parents with children in the age of 3-8 years. Furthermore to specify any bottlenecks or gaps in the supplied activities and to come up with solutions. Result of this research was a Project-dossier in order to get funds to offer more specific programmes for parents.

Due to this research SVJ started in Curacao with training for parents in the neighbourhoods where it is most needed..

A policy on "Parental Guidance " on all 5 islands of the N.A. is necessary in order to be able to support parents in a consistent and professional way. The execution of such programmes is already the responsibility of NGO's ,but more networking is extremely important.

What was stated on Saba is that it is not always necessary to implement new laws; what is more important is to make parents and all educators aware of what the children's rights are and what they as parents and educators can do to set limits. Parents need guidance in these issues, to know how to make the best decisions.

A correction on the Government report: since 1999 Sifma doesn't not receive subsidy from the Federal Government. The only way for Sifma to execute programmes for parents and programmes on early childhood care and development is with short term project subsidies.

The continuity of these programmes is therefor not guaranteed.

B. Article 9 Separation from parents

The Windward Islands have no foster homes for children who for reasons that the family is not functioning, combined with problem behaviour, cannot stay home. See article 3
There is not enough guidance to parents and children in cases of divorce to decide where the children want to stay and what is best for them.

C. Article 10 Family reunification

No amendment to this act

D. Article 27.4 Recovery of maintenance for the child.

Government, Court of Guardianships, are responsible for recovery of maintenance for the child, however more could be done in cases where the fathers have no monthly salaries or no income at all.

Especially considering the fact that the mothers of the children carry the full responsibility of the upbringing of the children.

E. Article 20 Children deprived of a family environment

Government and NGO 's should work closely together in order to have foster homes on the three Windward Islands, for the children who cannot stay with their family.

F. Article 21 Adoption

No amendment to this act.

G. Article 11 Illicit transfer and non-return

No amendment to this act

H. Article 19 Abuse and neglect

There is not enough attention for child abuse and neglect. There are no Child Care Boards on island level, where parents, children and others can report such cases.
Each island has a Court of Guardianship as a Government institution, but this is not their sole activity.

NGO's are more active on the preventive aspects of child abuse, but where it comes to abused children it is difficult to refer, seeing the fact that different organizations take these cases and there is not enough communication and networking.

The police departments are not prepared for it; in Curacao there is a special department for Child cases, however this doesn't exist on the other 4 islands.

Boys are not directly mentioned in our laws against sexual abuse; and there is information about sexual abuse of boys. They can become victims of pedophiles.

I Article 25 Periodic review of placements

No amendment to this act.

VI BASIC HEALTH AND WELFARE

Articles 18, 23, 24, 26, 27.

A. Article 6.2 Survival and development

There is no insurance for medical care for children without documents. See under general principles However the White Yellow Cross Foundation doesn't make any distinction between documented or non- documented children. They give service to all children age birth-4 years: vaccination, health information, early detection of developmental problems.

After this age however there is no systematic control, if these children are not attending school.

On St.Maarten there is a lack of specialists to treat children with developmental or behaviour problems. The same applies to Saba and St.Eustatius and partially for Bonaire. E.g. there is no Child Psychiatrist available for children with problems ; there is one pediatrician and one speech therapist for all children on the Windward Islands.

There are early detection and stimulation programmes for daycare centres under supervision of Sifma (see research Early detection) in order to bridge the gap between the needs of some children, the impossibility to refer, and to offer them the stimulation they need.

More cooperation between organizations and specialists is needed in order to offer the children the care they deserve.

There is not enough attention for overweight or underweight children.

A research on the health status of children in the Netherlands Antilles is necessary, in order to set up programmes for children and their parents .

There is no mention made in the Government report on measures taken to protect children before, during and after natural disasters such as hurricanes on the Windward Islands.

There are general programmes from Governments on the Windward Islands, on how to protect your house and family in general . Sifma in cooperation with the Insular Education Department on St.Maarten, developed a programme for parents, children , teachers and caregivers, on how to prepare children, how to deal with them during hurricane and what to do after that. However this is not part of a policy and much more could be done, also from a Federal Government point of view. A plan and a budget for such a programme every year is imperative.

A research has been done by Sifma regarding fear en general and specifically on hurricane related fears of children. The preliminary results tell us that children on St.Maarten score high on fear; this leads to social emotional and learning problems. (Children's fears of hurricanes and their coping with hurricanes)

Considering the fact that the second cause of dead is traffic, it is important to take serious measures in order to make traffic safer for children.

Besides the information given by police on all the islands, VVV is active in Curacao in giving information, sometimes service clubs are also involved, but there is still not enough awareness by parents, children themselves and the society at large.

The problems teenage mothers and their babies encounter are not mentioned. This being an at risk situation for mother and child. In many cases the mother stops going to school because of her pregnancy and thereafter to take care of the baby, if her mother is not available to do so. As a result she does not finalize her school and that makes it difficult to get a job as a qualified person. Besides that she is too young to take care of her baby. Sifma has executed research on all islands and is conducting a programme on prevention of teenage-parenthood and support for teenage mothers.(research on background teenage mothers in Curacao and on the Windward Islands, research on sex education in the windward islands,)

Policies on the prevention of teenage pregnancy and teenage parenthood are very important.

In the research Sifma did in 1996, 1997 and 1999 ,they interviewed teenage mothers as well as teenagers en general.

The conclusion of the teenagers was: that there is a problem to communicate with parents, you cannot talk with your parents about sexuality and teachers are not always available and able to give support.

The estimate of children born from teenage mothers is 9 % on the Windward Islands (see Government report) This figure however does not take into account the babies born from undocumented teenagers. On the Windward Islands we consider the percentage of children born to teenage mothers as 13%.

Important to mention is the high amount of abortion among teenagers on St.Maarten. Officially nobody knows about it and that makes it even more difficult for the teenage girl to carry this secret with her. Besides the psychological effects it has, it can also be a threat to her health, because she does not always go to a qualified “physician”.

B. Article 23 Disabled children

A significant number of NGO’s monitor the needs of children with disabilities. However on Saba and St.Eustatius there is no care at all for disabled children. Critical cases are referred to the other islands of the Netherlands Antilles or to Holland.

On St.Maarten there is a centre for these children, however there are no schools for children who are mentally retarded.

This year the 24 hours centre for disabled persons will be opened

It is still very difficult to regulate the participation of disabled children in regular life.

Undocumented children cannot be part at all of this care.

Curacao has a special school for vocational training; the only bottle neck is that the children cannot be older than 21 and that is impossible for the way they develop. Parents are putting pressure to make it 25 years in order to give them a chance to participate in the labour process.

C. Article 24 Health and health services

See above

D. Article 26 and 18.3 Social security and child care services and facilities

There is no Federal law for daycare, however Curacao (since 1998) and St.Maarten (since 2000) have ordinances in place in order to regulate minimum standards for day care. In Curacao the control doesn’t take place ; on St.Maarten this control on daycare centres started in August 2001.

The Minister of Education will present a policy on Early Childhood Care and Development, to the Council of Ministers before the end of 2001. This implies that in the near future the Federal Government will play a motivating role to encourage the islands to formulate their own policies and regulations for daycare centres. There are island subsidies for day care; the only island not having that in place is St. Maarten. This means that all parents on St. Maarten are burdened with all the expenses for day care, regardless their income.

Article 27 Standard of living

See under family environment.

VII EDUCATION, LEISURE AND CULTURAL ACTIVITIES

Articles 28, 29, 31

A. Article 28 The right to education

More control is necessary on compulsory education: children who are not attending school at all, mostly undocumented, and children who are not present in school on a regular basis. It is impossible for the teachers to have this controlled for 100%. As mentioned above, children of undocumented parents are mostly not attending school. An estimation of the amount of children is about 500. There is no holding school; plans are in preparation to set up “Transitional classes” by the end of the year 2001. This will make it possible for children who for one reason or the other have problems to fit into the regular school system, to get during a year special assistance in for example language or other subjects. Some of the immigrants have organized their own schools (“make shift schools “)

The “Immigrant Children Programme” has ceased to exist since June 2000, due to lack of funds.

B. Article 29 Aims of education

There are still problems with the way of disciplining children in school. A recent court case in Curacao against a teacher was a good example for teachers, parents and children, that the law doesn't accept physical punishment. However there is still a need for more information on this specific topic.

There could be more programmes on non violence in the schools.

Problems with different languages: these problems are not getting enough professional attention.

C. Article 31 The right to leisure, recreation and cultural activities.

Leisure, recreation and cultural activities:

There are complaints on all the Islands , but mostly on St.Maarten, Bonaire, Saba and St.Eustatius) that there is a lack of affordable sport facilities and other recreational programmes for children.

Taking into account the facts that most parents work, and especially on St.Maarten have two jobs because of the high costs of living, and the school hours are only in the morning, there are not enough after school activities for children. Consequently a lot of children are at home alone or on the street till their parents arrive home.

There is no Government policy on this issue.

FAJ did in May 2000 an inventory to give advice on bettering the perspective for youngsters in the N.A.. (“ Het aanbod gericht op perspectiefverbetering van jeugdigen op de N.A.”, FAJ. Curacao May 2000)

VIII SPECIAL PROTECTION MEASURES

Articles 22, 30, 32, 33, 34, 35, 37, 38, 39, 40

A. Article 22 Children in situations of emergency and refugee children

See the comments on children during natural disasters. Article 6.2

There is no law for refugees for the Netherlands Antilles; this specifically created a problem on St.Maarten for the children of refugees from Montserrat after the volcano eruption.

As long as the families got support from the Government of Great Britain, there was no problem. However that was for only 6 months. For the families where the parent did not find a job, that meant that there was no income and as a result e.g. no medical care .Besides that there was no counseling for the parents and their children on how to cope with this disaster. The Caribbean Conference of Churches offered some help with a social worker.

B. Article 30 Children of minorities or indigenous groups.

No comments

C. Article 32 Economic exploitation

Child labour is forbidden till 15 years, from 15-18 only with consent of parents. More control on this act is necessary, information for business owners and also for parents and children.

D.. Article 33 Drug abuse

The increase of the use of illicit drugs and drug trafficking remains a concern in the N.A. NGO's are very active in education and counseling on this problem. However much more should be done. The opium law is outdated and should be amended. A positive action of schools of secondary education on St.Maarten is that they have preventive programmes and they do a yearly drugs and alcohol testing. It is possible for the children to get treatment.

There is not enough information on children involved in drugs.

During the meetings mention was made of the increasing amount of children involved in drug trafficking and selling on the islands, from a very young age. Mention has been made of children as young as 4 years.

There are programmes on the islands in order to prevent drug abuse and also counseling programmes.

D. Article 34 Sexual exploitation

There is no law on child pornography and youth prostitution.

There are no statistics, but in Curacao and St.Maarten it was mentioned as a big problem. Too much is still in the taboo sphere.

There is not enough public knowledge of the serious nature of abuse, especially the long term emotional and psychological damage to the child

There should be a special court to treat these cases

Adequate provisions to establish counseling for the victims by experienced counselors, closer partnership between Government, NGO's, community leaders and families in order to protect children, are deemed necessary.

Sifma on the 5 islands, and the "Foundation to Protect Children" (in Curacao) are working hard on prevention of sexual abuse and exploitation.

E. Article 35 Sale trafficking and abduction

See Government report

F. Article 36 Other forms of exploitation

No amendment to this act

See Government report

G. Article 37 Torture and deprivation

See article 19 on child abuse

Government report.

H. Article 38 Armed conflicts

Government report

I. Article 39 Rehabilitative care

See Government report

J. Article 40 Administration of juvenile justice

The age of administration of juvenile justice is till 16 years. However there is no youth prison in the Netherlands Antilles. As a consequence youngsters of this age are placed in the regular prison together with adults.

OPINION OF CHILDREN

During the months of November and December 2000, a total of 25 children(from 12 year and up) participated in workshops, to celebrate the anniversary of the Convention on the Rights of the Child in Curacao (district Barber and Soto).

Conclusions of the children are:

- There is discrimination against children of minorities: children from Haiti and the Dominican Republic
- Not all parents protect their children
- There are parents who do not register their children
- There are a lot of children without a proper house and without food every day
- There is a lot of teasing of disabled children
- Parents hug their children only when they are very small
- Children cannot attend school because they are poor: no food no shoes or proper clothing
- Parents often don't understand their children and they don't know how to comfort them
- Young children have to work because the father is not supporting the family
- Parents have to send their children to school
- There should be more possibilities in each district for sports, cultural activities and handicraft
- Children themselves should have respect for their parents and teachers, they should listen and thank God for everything they have.

Curacao, December 2000

CONCLUSION

The preparation of this document provided the NGO's an opportunity to review the services offered to children and families and to rethink their position

It was also an opportunity for Sifma and FAJ to provide in a structured manner more and overall information on the Rights of the Child and on the Government report. It afforded the opportunity to discuss the present status on the Convention, and more importantly to conclude on actions that should be undertaken in the near future.

Both organizations work on a total sustainable development and approach through the Islands of the Netherlands Antilles.

We realized participation of several organizations and we are convinced of the fact that we are moving in the right direction, but that there is still a lot to be done.

Cooperation with other countries in the Caribbean is very important because of the similarity of the problems children encounter. However this is very difficult, mainly because of the constitutional status of the Netherlands Antilles as part of the Kingdom of the Netherlands. Participating in a Caribbean context on the Convention of the Rights of the Child is therefore often problematic, because of the bureaucracy deriving from our political status. The reality is that we are part of the Caribbean and that we therefore should address the issues from a Caribbean perspective. This is a concern that has been discussed during the workshops .

Working together in the Caribbean with organizations in the field of the Rights of the Child will improve the conditions of our children.

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