



1 September 2022

Concerns of Caribbean students, almost two years on

Almost two years ago, the National Ombudsman issued a report highlighting the problems faced by Caribbean students who come to study in the Netherlands – so, what is the situation now?

I The report: Concerns of Caribbean students

On 16 December 2020, the National Ombudsman completed his study into the problems faced by students from the Caribbean part of the Kingdom when they come to the European Netherlands to study and the issues they experience on their return.¹ That investigation culminated in the report [Concerns of Caribbean Students \(Kopzorgen van Caribische studenten\)](#). In the report, the Ombudsman noted that Caribbean students often fail to make satisfactory progress while studying in the Netherlands for various reasons. As a result of these problems, they often fall behind in their studies or even give up completely before graduating.

A Caribbean student quoted in the report:

It's been very difficult. But I have never been tempted to give up. I was brought up to persevere and prevail! My mother was also a very determined lady. She was my greatest role model and I'm going to get my diploma come what may – for her. I came here to study, I came here for my future. I intend to achieve my aim. It certainly hasn't been easy and there are still additional obstacles to overcome even now. We definitely have a harder time than students who've grown up in the Netherlands. We may be Dutch citizens, but we're at a distinct disadvantage. And that just isn't fair."

In the view of the Ombudsman, Caribbean students are entitled to expect that all countries within the Kingdom implement a smooth transition between preparatory education on the islands and further education in the European Netherlands. The countries and relevant institutions on both sides of the ocean can, and should, improve cooperation and make firm joint agreements in pursuit of fundamental improvements within the education chain. This concerns the following:

- Integrated information provision in the preparatory phase
- Access to a Citizen Service Number (*Burgerservicenummer*, BSN)
- Access to Dutch health insurance and the healthcare allowance
- Information about taxes, exemptions and allowances
- Access to psychological support
- Consolidated repayment of student loans
- Automatic means test on return to the islands

The Ombudsman therefore recommended that the Minister of Education, Culture and Science (OCW) – in collaboration with the State Secretary of the Interior and Kingdom Relations (BZK) – take action on these points.

II Reactions to the report and actions taken in response

On 17 December 2020, [questions were raised in Parliament](#) to which the Minister of Education, Culture and Science (OCW) responded on 5 March 2021. At the [Four-countries Consultation \(Vierlandenoverleg\)](#) in early January 2021, the four education ministers discussed the Ombudsman's report and the reports issued by *Levende Talen Papiaments* (Papiamento Living Language Society) and ResearchNed. They were unanimous in outlining their intention to take concerted and structured action in order to tackle the problems. The offer made by

¹ See Appendix 1, in which these problems are described in brief.



the Dutch universities of applied sciences (HBO level) to establish a Steering Group with members of organisations from both sides of the ocean was accepted.² The Steering Group on Academic Success for Caribbean Students (*Regiegroep Studiesucces Caribische Studenten*) was tasked with developing a plan of action intended to improve coordination across education. On 30 July 2021, the Ombudsman received a response to his report in the form of a [letter](#) from the Minister of Education, Culture and Science. In the meantime, the Ombudsman also raised the problems faced by Caribbean students with the Education Minister of St. Maarten and the ombudsmen of St. Maarten and Curaçao. He also provided a briefing on the report to the permanent Parliamentary Committee for Kingdom Relations and the permanent Parliamentary Committee for Education in the Dutch House of Representatives.

Monitoring the response to the report's recommendations

In order to effectively monitor the response to the report's recommendations, the National Ombudsman has held regular consultations with the missions in The Hague representing Aruba (*het Arubahuis*), Curaçao (*het Curaçaohuis*) and St. Maarten (*het St. Maartenhuis*) and the Papiamentu Living Language Society. There have also been discussions with the Ministry of OCW, the government programme Focus on People (*Programma Mens Centraal*), the project manager of the Steering Group established by the universities of applied sciences and the Association of Municipalities in the Netherlands (VNG).

The VNG announced that the Dutch Association for Civil Affairs (*Nederlandse Vereniging voor Burgerzaken*, NVvB) had sent out a newsletter to all Dutch municipalities drawing attention to the Ombudsman's report and focusing on registration in the Key Register of Persons (*Basisregistratie Personen*, BRP) and application for a BSN. The National Office for Identity Data (RvIG) announced that it had revised its [information sheet](#) for Caribbean students in response to the report's publication.

One year after the report's publication, the Ombudsman held two roundtable discussions with organisations and people involved in order to discuss the latest situation with regard to the report's recommendations.

III Roundtable discussions

These (digital) roundtable discussions, held on 8 December 2021, were attended by various stakeholders, students, former students and ministries, together with the ombudsmen from St. Maarten and Curaçao.

What were the key developments?

The Ombudsman noted that the parties involved had adopted a constructive approach in setting to work on the recommendations. The Ministry of BZK, for example, announced that work was being done on changes to legislation concerning the BSN. Further legislative changes – concerning health insurance – were prepared by the Ministry of Health, Welfare and Sport (VWS), in alliance with the Ministry of Social Affairs and Employment (SZW). Their aim was to explore the extent to which students who have no access to Dutch national insurance could still be eligible for it. This change to legislation was expected to be achieved by July 2022. With regard to the issue of repayment of student debt, *Dienst Uitvoering Onderwijs* (DUO) – the Education Executive Agency responsible for administering student grants and loans – announced that it had made arrangements with the tax authorities in the Caribbean Netherlands and Curaçao. According to that, DUO would proactively check students' incomes for the years after the initial means-test request. In addition, DUO would proactively provide information on the islands about debt repayment.

The Ombudsman welcomed this willingness to take concerted action. However, it also became clear that Caribbean students were still facing problems, many of them practical in nature. In addition to the problems described in the report, the roundtable discussions also covered the [bridging year \('schakeljaar'\)](#) proposed by the

² The Steering Group on Academic Success for Caribbean Students includes representatives from education and government from the six islands and the Netherlands.



President of Rotterdam University of Applied Sciences, who should pay for it and what potential alternatives there are. Other issues raised included accommodation, the brain drain and the lack of constructive collaboration between different organisations. Participants felt there was a lack of any organisation or body that coordinates and keeps an overview of everything that is happening with regard to Caribbean students. Finally, the Ombudsman called for specific attention also to be paid to Caribbean students in secondary vocational education (MBO), pointing out that these students are more likely to come to the Netherlands without any support or supervision, are less well organised and often significantly younger than students at research universities and universities of applied sciences. 'We must all ensure that this group is not forgotten', said the Ombudsman.

Steering Group on Academic Success for Caribbean Students

The Steering Group reported that it was working on proposed improvements based around five themes: (1) choice of study and academic career development; (2) culture and language of study; (3) reception and supervision; (4) integrated provision of information and (5) mobility within the Kingdom. The Group also announced that the plan of action will involve three phases. The initial proposals for this were presented in the spring of 2022.³ The overall aim of the plan is to achieve a fully-fledged support programme for Caribbean students.

IV After the roundtable discussions

In March 2022, the National Ombudsman published a [reconstruction](#) of the investigation into the Concerns of Caribbean Students and the recommendations on his website. In this reconstruction, the Ombudsman included more details of the results of the roundtable discussions.

Working visit to St. Maarten, St. Eustatius and Saba

A month later, in April 2022, the Ombudsman paid a working visit to the islands of St. Maarten, St. Eustatius and Saba. On Saba, he spoke to the Youth Council, who raised the issue of the CXC education system⁴. The young people on the island are not impressed by this system, because it is not adequately aligned with the Dutch educational system. This leaves them facing numerous problems if they wish to continue to study in the Netherlands after leaving secondary school on Saba.

In a meeting with young people from St. Eustatius⁵, the issue of the so-called 'gap year' was raised. One of the consequences of it is that students aged 16 and 17 who graduate from pre-vocational secondary education (VMBO) cannot easily transfer to MBO.⁶

Letter to Parliament, 30 May 2022

In his [Letter to Parliament](#) of 30 May 2022 on the subject of the 2022 OCW Four-countries Consultation, the Minister of Education, Culture and Science wrote that the Steering Group had presented its early proposals for

³ The final conclusions of the [Four-countries Consultation of 2022](#) confirm that it has taken note of the phased plan of action and the implementation of the first phase. The ministers also acknowledge that further action will be needed in order to raise academic success to an acceptable level. They support the Steering Group in the second and third phase and expect to see concrete proposals for them from all of the islands. The Group also approved the plan to organise a working conference on Aruba in September 2022 focusing on concrete results and accelerated implementation of the Steering Group's programme.

⁴ This is an English-language programme offered in the region. English is the official working language on St. Maarten, St. Eustatius and Saba.

⁵ The meeting was held (digitally) on 3 June 2022 with a member of the Ombudsman for Children's staff and a National Ombudsman staff member. The meeting was initiated by the Public Body of St. Eustatius.

⁶ Just like in the European Netherlands, school students under the age of 18 wishing to transfer to further education are not eligible for student loans or grants. They must be 18 to qualify. On the smaller islands in the Caribbean part of the Kingdom, there are hardly any opportunities for students to retrain or to find employment in the meantime. 'Jumping the gun' by starting an MBO programme early without any funding is not financially realistic. The child allowance for this is insufficient for many parents. As a result, many school students just abandon their studies.



improvements to the meeting.⁷ The Steering Group was asked 'to widen its remit and not only to come up with proposals aimed at improving students' transition from the islands to the European Netherlands and their reception and support, but also to suggest proposals to ensure that prospective students are able to make more informed choices of further education in the European Netherlands on the islands themselves or elsewhere.'

V Current situation regarding recommendations from report on Concerns of Caribbean Students

On 24 May 2022, the National Ombudsman asked the Ministry of OCW for an update on the current situation with regard to Caribbean students being issued with Citizen Service Numbers (BSNs); the extent to which (local) student debt can all be repaid in the same way and whether it is possible to issue a full specification of debts.⁸ The Ombudsman asked the Ministry of VWS about the status of the previously announced legislative changes concerning health insurance.⁹

- *Access to a Citizen Service Number (BSN)*

On 14 July 2022, the Ministry of Education, Culture and Science announced¹⁰ that – pending the introduction of the BSN in the Caribbean Netherlands – work was underway to examine the feasibility of Caribbean students being issued with BSNs via DUO before they come to the Netherlands.¹¹ Since this is a new task, DUO conducted an impact analysis. Based on this analysis, the ministries of BZK and OCW have embarked on discussions about the next step in the process. Since implementation is expected to take around a year, it is not feasible for Caribbean students to be able to access BSNs via DUO by 1 January 2023. The Ministry of BZK will send information about this to the House of Representatives after the summer recess.

- *Automatic means test on return to the islands*

With regard to the issue of a means test on return, the Ministry of OCW stated that former students must first submit their own request for means testing and this applies both in Curaçao and the Caribbean Netherlands. Former students on Curaçao need to issue authorisation in order to enable DUO to request information about income for the years after the first means-test request.¹² In the year after that, DUO proactively requests income details from the Tax and Customs Administration in order to determine the monthly amount payable. If the Tax and Customs Administration does not have any data, former students will be asked to provide the information themselves. The Ministry of Education, Culture and Science highlighted the fact that recording authorisations (and their subsequent withdrawal) is very difficult to implement in combination with DUO's automated systems. A 'manual' agreement such as that applicable to Curaçao and the Caribbean Netherlands was ruled out as not being a logical solution for the islands of St. Maarten and Aruba. The Ministry also announced that it is exploring the possibilities for the automatic sharing of data with Caribbean countries. In this context, the Minister refers to the Letter to Parliament of 30 May 2022 which includes further information about the means-test request.

- *Standardised debt repayments and the provision of an overview*

⁷This refers to proposals and modifications that institutions can already apply within their own organisations and that can be deployed starting in the next academic year, such as online meetings to discuss choice of study, the provision of a module on 'studying in the Netherlands', a language consultation hour and a buddy project, according to the minister.

⁸ See Appendix 2.

⁹ See Appendix 2.

¹⁰ See Appendix 2.

¹¹In accordance with the Dutch Municipal Personal Records Database Act (*Wet op Basisregistratie Personen*, Wet BRP), the Minister of the Interior and Kingdom Relations (BZK) can instruct DUO to record data of non-residents in the Non-residents Database (*Registratie Niet-ingezetenen*, RNI). Following registration in the RNI, BZK can issue a BSN. This will ensure that, thanks to the intervention of DUO, students from all six islands can be issued with BSNs before leaving for the Netherlands.

¹² If they do not give permission, DUO is unable to receive any data concerning income.

The Ministry of OCW agreed to raise this on the agenda at the next meeting of the official Four-countries Consultation on Student Finance. The Ministry also pointed out that student debts under the *Wet Studiefinanciering* (Student Finance Act) 2000 are consolidated with debts pursuant to the BES Student Finance Act (*Wsf BES*) and this does not apply in the opposite direction.

- *Integrated information provision*

Finally, the Ministry pointed out that DUO makes every effort to inform people, encourages people to request means tests and is committed to contacting students in debt. Prospective students are also given information. The Steering Group on Academic Success for Caribbean Students has set up an 'integrated information provision' working group. Its main focus is on various initiatives concerning the provision of information, including achieving transparency with regard to existing initiatives and establishing an information point where information about further study is collected centrally. This centralised provision of information is focused on students starting the following year. Caribbean students starting in September 2022 can use existing information resources.

Progress by Steering Group:

In relation to the responses from the Ministry of OCW, the progress made by the other working groups of the Steering Group is also worthy of mention.

On 15 July 2022, the Steering Group's project manager sent its interim report on the 'Academic success of Caribbean students' project in response to a request from the Ombudsman. Among other things, this interim report covers representation in the Steering Group and the extent to which government and education officials from the countries are included in it. Since the end of February 2022, the MBO sector has also been represented in the Steering Group. Starting in August 2022, this sector will have a more prominent position within the project thanks to the appointment of a project manager for the MBO section.

The report also points out that, in addition to the working group on integrated information provision, it is also coordinating working groups on specific themes¹³. Starting in July 2022, work will also be done on these themes on the islands. Since September 2021, regular consultations have also been held between representatives of the seven universities of applied sciences in the project group. In these, ongoing issues are discussed and agreed on. Concrete results achieved so far include:

- Compiling an inventory of support programmes within the universities of applied sciences involved;
- Sharing of examples of best practice;
- Identifying areas with potential for rapid improvement within the institutions;
- Compiling an inventory of recommendations for overarching solutions that can be rapidly implemented;
- Suggestions for new programme components and the achievement of improvements.

Finally, the Steering Group notes that a positive momentum is visible, both within the educational institutions themselves and in the wider network. Ensuring that the islands are also on board is a challenge and the Steering Group is keen to emphasise that (rapid) improvements also need to be carefully anchored. Too specific a focus on the existing offering must be avoided in order to ensure that the needs of target groups are fully taken into account.

- *Entitlement to Dutch basic health insurance*

In response to the Ombudsman's questions, the Ministry replied on 13 June 2022 that the change to the Access to Social Insurance (Additional Categories of Persons) Decree 1999 (*BUB Volksverzekeringen*)¹⁴ and the BES Health Insurance Decree (*Besluit zorgverzekering BES*) will take effect on 1 July 2022. As a result of this legislative change, Caribbean students are eligible for Dutch basic health insurance. However, this is subject to a

¹³ This covers a total of five themes: in addition to integrated information provision, these are: culture and language of study, reception and support, choice of study and study career development and mobility within the Kingdom.

¹⁴ *BUB (Besluit uitbreiding en beperking kring verzekerden)*.



residence assessment by the Social Insurance Bank (SVB). This assessment can ultimately mean that students still have no access to Dutch basic health insurance, for example in cases in which they opt for a programme that is shorter than three years in duration.

The Ministry of VWS explained that the situation with regard to SVB policy only came to light towards the end of the legislative process and it is now investigating the extent to which a change of policy or legislation will be necessary in order to rectify this. Since the Ministry wishes to prevent students being without health insurance in the meantime, the decision has been made to extend the existing insurance until the end of the year.¹⁵

VI Response from the National Ombudsman

In his report *Concerns of Caribbean Students*, the Ombudsman described in some detail how Caribbean students encounter all manner of problems as a result of not having access to a BSN (in good time). Not being able to open a bank account without a BSN is just one of these problems. The Ombudsman acknowledges that achieving a BSN in the Caribbean Netherlands and the alternative approach via DUO for the other islands is not something that can happen overnight. However, he had hoped – and expected – a solution to have been found for those Caribbean students who are now coming to the Netherlands (for the academic year 2022-2023). The Ombudsman had also hoped to see at least concrete plans for automatic means testing on return. Students who come from Curaçao and the Caribbean Netherlands must themselves approach DUO (on a once-only basis) to ask it to take account of their income in calculating how much they need to repay. According to the Ministry of OCW, a similar arrangement would not be a logical solution for students from St. Maarten and Aruba.

The Ombudsman very much regrets that there is as yet no prospect of the desired automatic means testing, but is gratified to hear that an inventory will be drawn up of the possibilities for the automatic sharing of data.

The National Ombudsman welcomes the legislative changes to the *BUB Volksverzekeringen* and the *Besluit zorgverzekering BES*. This acknowledges that Caribbean students can make use of Dutch basic health insurance and that it is not justifiable to draw a distinction in situations of this kind. Despite this, the Ombudsman finds it rather remarkable that it was only at the end of the legislative process that it became clear that the SVB conducts a residence assessment. This is something that the SVB has been doing for years and this was also mentioned in the report *Concerns of Caribbean Students*. The Ombudsman has concerns about the situation of students coming to the Netherlands for a study programme lasting less than three years. In principle, these students will not be eligible for Dutch basic health insurance and the associated healthcare allowance.¹⁶ He finds this difficult to explain to the students.¹⁷ He is therefore calling on the Ministry of VWS to take a closer look at how this undesirable situation can be rectified.

VII What next?

The National Ombudsman will continue to monitor progress with regard to the recommendations made in the 2020 report. To this end, he again intends to organise one or several roundtable meetings with stakeholders at the end of 2022. At these meetings – in addition to looking at the situation with regard to the recommendations – he plans to focus attention on the situation faced by MBO students (the ‘gap year’ situation described above) and discuss whether an organisation can be designated as the coordinating body (and, if so, which one). Depending on the results of these meetings, he will assess whether further action is required.

¹⁵ The Ministry reported that the decision has been made not to communicate anything about this to students at this stage. This is in order to prevent confusion since nothing will in fact change until 31 December 2022.

¹⁶ Unless the students look for a (part-time) job.

¹⁷ On 30 June 2022, the Ombudsman put a series of questions to the Ministry of VWS, see Appendix 2. The responses had not yet been received at the time that this interim report was compiled.



Appendix 1: Problems faced by Caribbean students in brief

Problems faced by Caribbean students when they come to study in the Netherlands

Even when preparing to study in the Netherlands, things can start to go wrong. Our investigation revealed that a quarter of the 624 students we questioned feel that they are poorly or very poorly prepared. When they do start studying, they often discover that the study programme fails to meet their expectations. The Netherlands also turns out to be different from what they had expected. Information that students received before arriving – concerning the study programme or other practical issues – turns out retrospectively to be insufficient or too fragmented. Arranging accommodation or a bank account remotely also proves problematical, partly because people on the six Caribbean islands do not have BSNs.

Once they have arrived in the Netherlands, the Caribbean students face other issues. For example, most of them are ill-informed about the system of taxes and allowances, as a result of which they can end up facing financial problems. Things can often go wrong in the process of applying for the healthcare allowance: because students from Curaçao, St. Maarten and Aruba¹⁸ are excluded from Dutch health insurance, they are not entitled to healthcare allowance. Despite this, often on the recommendation of friends or family, they still apply for Dutch health insurance and the associated healthcare allowance. When it ultimately turns out that they are not entitled to them, they often have to pay back huge amounts of money. The Caribbean students do not understand why they are not entitled to Dutch basic insurance.¹⁹ Surely, they have Dutch nationality and live in the Netherlands? It is this kind of situation that can cause the students to feel as if they are second-class citizens in the Netherlands. The sense of exclusion, at university and outside it, the language deficit and cultural differences can also lead to socio-cultural and psychological problems. In turn, this can cause students to fall behind or to abandon their studies altogether. Students feel there is a lack of support and guidance.

Even after studying, students can face financial problems, often because of student debt. Almost half of students currently repaying their student debt say that they struggle to do so. Of the former students questioned who have returned to the islands, as many as 63% find it difficult or very difficult to repay their student debts. Students from Curaçao, St. Maarten and Aruba complain that when repaying the student loan, no account is taken of any local (study-related) debts, whereas in the case of students from the Caribbean Netherlands, these are taken into account. In addition, there is a lack of any total overview of outstanding student debt at local bodies and at DUO. They also complain that, outside the European Netherlands, it is not possible to automatically calculate a repayment amount based on ability to pay.

¹⁸ Also referred to as the autonomous countries in the Kingdom.

¹⁹ For students from the Caribbean Netherlands (Bonaire, Saba and St. Eustatius, also referred to as the BES islands), a different regulation applies.



Appendix 2: Questions to the ministries and the responses

Email message dated 24 May 2022 from the National Ombudsman to the Ministry of OCW and the response to it on 14 July 2022.

"(...)

On 16 December 2020, the National Ombudsman completed his study into the problems faced by students from the Caribbean part of the Kingdom when they come to the Netherlands to study (or the issues they experience on their return). That investigation culminated in the report *Concerns of Caribbean Students*. In the report, the Ombudsman noted that Caribbean students often fail to make satisfactory progress while studying in the Netherlands for various reasons. As a result of these problems, they often fall behind in their studies or even give up completely before graduating. One of the key issues involves not having access to a Citizen Service Number (BSN). Because Caribbean students do not have access to a BSN, they are unable to arrange a number of practical issues before setting off for the Netherlands. This creates problems in such areas as opening a Dutch bank account, arranging accommodation or enrolling at an educational institution (including in the MBO sector). Other recommendations included automatic means testing on return to the islands, a standardised method of repayment of (local) student debt and the provision of information about tax waivers and allowances. After publication of the report, we announced that we would be closely monitoring action taken in response to the report's recommendations. For this reason, we organised two roundtable meetings on 8 December 2021, with stakeholders, departments, students and former students, which you also attended. At these meetings, several of these recommendations were examined in more detail. We indicated that we would publish an interim report before the summer holiday, outlining what the current situation is with regard to action on the recommendations. The group of students in the 2022-2023 intake can be expected to set off for the Netherlands in around eight or nine weeks' time. We are wondering to what extent any changes can be expected to apply to this group and whether they (and their parents) will receive information about this (and, if so, what information will be provided). We would like you to respond in writing as soon as possible, but by 13 June at the latest, updating us on the current situation with regard to the following recommendations:

- **A Citizen Service Number**

At the roundtable meeting, the Ministry of BZK indicated that work was being done on legislative change with the ultimate aim of introducing the BSN across the Netherlands. On 17 February 2022, during a debate in the House of Representatives, the Minister of Education, Culture and Science then announced that all Caribbean students, i.e., not only students from the Caribbean Netherlands, but also students from Curaçao, St. Maarten and Aruba, will be issued with a BSN from 2023. This will be done via DUO. Our question to you is this: can Caribbean students assume that they will receive a BSN via DUO starting from 1 January 2023? If this is the case, could you please indicate at this stage how they are supposed to apply for it?

- **Automatic means test on return to the islands**

It became clear from the roundtable discussion that DUO has reached agreement with the tax authorities in the Caribbean Netherlands and Curaçao for details of income to be requested proactively for the years after the initial means-test request. Students who do not have this possibility will receive a reminder. Could you indicate what the current situation is? We would also like to know whether a similar agreement can be made with the tax authorities on Aruba and St. Maarten (and, if not, why not?).

- **Standardised method of (local) student debt repayments and provision of a detailed specification of student debts**

This recommendation related to the fact that former students in the Caribbean Netherlands have their local study debts taken into account in the repayment of study debt to DUO but this does not apply to the local study debt incurred by former students from Curaçao, St. Maarten and Aruba. It is also recommended that a full specification of study debt be provided. We understood that the working group on student finance would be implementing this recommendation. Could you indicate what the current situation is?

- **Integrated information provision**

In response to our report, the (former) Minister stated that she considers properly integrated information about rights and responsibilities (including tax-related rights and responsibilities) to be important for all students and promised that she would work – together with her colleagues and the plenipotentiary ministers from the countries – to improve and intensify the information provided to (future) students and their parents. We would also like to hear the current status with regard to this.

Finally, I would be grateful to hear the extent to which the plans include the group of Caribbean students embarking on their studies in the Netherlands after the summer and what form the information provided to this group will take.”

The response from the Ministry of OCW of 14 July 2022 contained the following information:

A Citizen Service Number

(...) In anticipation of the introduction of the BSN in the Caribbean Netherlands, work is currently underway to determine whether it is feasible to have DUO issue BSNs to Caribbean students as the designated administrative body (*Aangewezen Bestuursorgaan*, ABO). In accordance with the Dutch Municipal Personal Records Database Act (*Wet op Basisregistratie Personen* (BRP), the Minister of the Interior and Kingdom Relations (BZK) can instruct DUO to record data of non-residents in the Non-residents Database (*Registratie Niet-ingezetenen*, RNI). Following registration in the RNI, BZK can issue a BSN. This will ensure that, thanks to the intervention of DUO, students from all six islands can be issued with BSNs before leaving for the Netherlands. Since this is a new task, DUO recently conducted an impact analysis. Based on this analysis, the ministries of BZK and OCW have embarked on discussions about the next step in the process. During the debate to which you refer, the Minister pointed out that decision-making would happen in June and the process would take around a year to implement. This means that it is not feasible to have BSNs issued via DUO and BZK by 1 January 2023. After the summer recess, BZK will send a letter to Parliament informing it about the BSN in the Caribbean region.

Automatic means test on return to the islands

(...) In both Curaçao and the Caribbean Netherlands, the individual in debt must submit a request for a means test first. Those on Curaçao need to give permission (authorisation) for DUO to be allowed to request information about income also for the years after the first means-test request. If they do not give permission, it is not possible to receive any data concerning income. In the year after that, DUO proactively attempts to request income details from both tax authorities in order to determine the monthly amount payable. If neither of these tax authorities have data, the debtors themselves are asked to provide information.

Keeping records of authorisations (and those of possible partners) and their possible withdrawal is extremely difficult to implement in combination with DUO's automated systems. A 'manual' arrangement of this kind would therefore not appear logical for the two other islands. This is why work is currently underway to identify the



options for automatic sharing of data with the Caribbean countries. This includes specific consideration of any facilitating framework required, including legal aspects. For example, changes to legislation in the Caribbean countries will be necessary in order to enable the sharing of data. In the meantime, DUO is doing its utmost to inform people and encourage them to request means tests. It is also making every effort to come into contact with debtors and provide information to prospective students.

In addition, there are various practical aspects that affect the sharing of data. The local tax authority does not always have access to all data concerning income and not all residents, including those with debts to DUO, submit tax returns. Automatic means testing is impossible without this data.

Parliament was recently updated on the results of the Four-countries Consultation and about Caribbean students' study debts.²⁰ This letter to Parliament includes more information about the request for a means test.

Standardised method of (local) student debt repayments and provision of a detailed specification of student debts

(...) This subject will be included on the agenda at the next meeting in September of the official four-countries working group on student finance to enable it to be discussed with the countries. Incidentally, debts pursuant to the *Wet Studiefinanciering (Wsf) 2000* are included in debts under the *Wsf BES*. The opposite is not the case.

Integrated information provision

(...) As mentioned earlier, DUO is doing its utmost to inform people and encourage them to request means tests. It is also making every effort to come into contact with debtors and provide information to prospective students. The Steering Group on Academic Success for Caribbean Students has set up an 'integrated information provision' working group. Its main focus is on various initiatives concerning the provision of information, including achieving transparency with regard to existing initiatives and establishing an information point where information about further study is collected centrally for (prospective) Caribbean students, student counsellors and educational institutions. Caribbean students and the plenipotentiary ministers have been invited to contribute their ideas on this. The Steering Group will be meeting for a working conference on Aruba in September. The centralised provision of information is focused on students starting next year. For those students starting this September, existing information resources are being used, including the range of reception and support programmes at the Dutch educational institutions identified by the Steering Group during phase 1. In addition to efforts on the part of DUO and the Steering Group, the development of a comprehensive package of information requires contributions from all ministries involved.

In an email message dated 24 May 2022, the National Ombudsman put the following questions to the Ministry of VWS:

(...),

On 16 December 2020, the National Ombudsman completed his study into the problems faced by students from the Caribbean part of the Kingdom when they come to the Netherlands to study (or the issues they experience on their return). That investigation culminated in the report *Concerns of Caribbean Students*. In this report, the Ombudsman noted that Caribbean students often fail to make satisfactory progress while studying in the Netherlands for various reasons. As a result of these problems, they often fall behind in their studies or even give up completely before graduating. One of the key issues relates to the fact that students from the Caribbean part of the Kingdom do not have access to Dutch basic health insurance. After publication of the report, we announced that we would be closely monitoring action taken in response to the report's recommendations. For this reason, we organised two roundtable meetings on 8 December 2021, with stakeholders, departments, students and

²⁰ [Kamerbrief over Vierlandenoverleg OCW 2022 en Studies Caribische Studenten | Kamerstuk | Rijksoverheid.nl](#)

former students. The Ministry of VWS also attended. At these meetings, several of these recommendations were examined in more detail. It was also announced that the ministries of VWS and SZW are jointly preparing a change to the law in order to amend the *Besluit zorgverzekering BES* and the *BUB* in such a way as to ensure that students will be eligible for Dutch basic health insurance in the future. During the roundtable discussion, we also said that we would publish an interim report before the summer holiday outlining what the current situation is with regard to action on the recommendations. The group in the 2022-2023 intake can be expected to set off for the Netherlands in around eight or nine weeks' time. We are wondering to what extent any changes will also apply to these students and, if so, whether they are being or will be informed about this. We would like you to respond in writing as soon as possible, but by 13 June at the latest, updating us on the current situation with regard to the legislative change.

On 13 June 2022, the Ministry of VWS responded as follows:

"The amendment to the *BUB* and the *Besluit zorgverzekering BES* will take effect on 1 July 2022 (Bulletin of Acts and Decrees 2022, 193). In principle, students will be able to access Dutch basic health insurance from that date. We say 'in principle' because it is important to take account of the fact that the SVB also has to conduct a residence assessment. As far as students are concerned, the SVB policy can be summarised as follows: if, on the date of arrival in the Netherlands, it can be reasonably assumed that the stay in the Netherlands will last longer than three years, the SVB will accept residence with effect from the date of arrival unless there are contraindications to prevent that acceptance. In the context of a specific case, this can turn out differently if, for example, there are still strong connections with the country or place of origin. This means that there is a chance that Caribbean students (with Dutch nationality) will still not have access to Dutch basic health insurance as a result of the SVB policy. Take, for example, the case of students on a study programme in the European Netherlands that lasts less than three years. Unfortunately, the situation with regard to the SVB only became known towards the end of the legislative process. Investigations are currently underway to determine whether a change of policy or legislative change needs to happen to remedy this situation. In order to prevent any student from the BES Islands being without health insurance in the meantime, it has been decided to extend the current insurance to the end of this year.

NB: the SVB policy also applies to students of Dutch nationality who come to study in the European Netherlands from other parts of the world (other than the BES islands).

Since the above could potentially confuse students, the decision has been made not to communicate anything to students yet. In any case, nothing will change for BES students until 31 December 2022. However, we are keeping the partners OCW, RCN and Turan Goeloe (student support organisation) informed of developments."

In response to the question requesting clarification as to whether this also referred to students from Curaçao, St. Maarten and Aruba, the Ministry of VWS responded as follows on 15 June 2022:

"The change to the *BUB* is not limited to students from the BES islands. In other words, students from the CAS countries will, in principle, also be eligible for Dutch basic insurance. The reason I mentioned students from the BES islands only was because our department covers policy on the BES islands. The explanatory notes to Article 20 of the *BUB* (with effect from 1 July):



“Article II, part F, articles III and V

Students from the Caribbean part of the Kingdom have Dutch nationality, but were excluded from Dutch national insurance while resident and staying in the Netherlands exclusively for reasons of study in accordance with Article 20 of the *BUB-volksverzekeringen*. In accordance with the *Besluit zorgverzekering BES*, students from Bonaire, St. Eustatius and Saba (BES) could resort to the applicable health insurance on the BES islands. Students from Curaçao, Aruba and St. Maarten had to take out international health insurance and do not have a right to healthcare allowance. However, students with Dutch nationality who come from other areas outside the (European) Netherlands to study in the Netherlands and are resident here are insured in the Netherlands. The Central Appeals Tribunal (*Centrale Raad van Beroep*), in grounds included for the sake of completeness, stated that compelling reasons would need to be brought in order for a distinction in terms of origin (place of residence) to be justified. It has been determined that no compelling reasons apply. In his report “Concerns of Caribbean Students” of 16 December 2020, the National Ombudsman stated that it is not desirable for Caribbean students to be excluded from Dutch health insurance. In responding to parliamentary questions concerning the Ombudsman’s report, the Minister of Education, Culture and Science replied that the options for amending the *Besluit zorgverzekering BES* and the *BUB volksverzekeringen* are being explored, as a result of which all residents of the Caribbean parts of the Kingdom who are resident in the Netherlands during their studies would be able to make use of Dutch health insurance and also be eligible for healthcare allowance. This exploration showed that this can be achieved by amending Article 20 of the *BUB volksverzekeringen*.

For this reason, the distinction stated is being removed from Article 20 of *BUB volksverzekeringen*. As a result of this, students from the Caribbean part of the Kingdom will be insured for national insurance in the Netherlands if they are resident in the Netherlands, even if their only reason for staying in the European Netherlands is study. It is worth pointing out for the sake of completeness that a student working or completing a paid internship in the Netherlands was already covered by Dutch national insurance. For students from the BES islands, this therefore involves taking out Dutch health insurance when they are resident in the Netherlands and no longer making use of the health insurance on the BES Islands. As a result of this, the students can also submit an application for healthcare allowance. For the students from Aruba, Curaçao and St. Maarten, it means that they do not need to take out international health insurance if they are resident in the Netherlands, but Dutch health insurance instead. They are also entitled to submit an application for healthcare allowance. The amendment to Article 20 of the *BUB-volksverzekeringen* goes hand in hand with the removal of Article 1a of the *Besluit uitbreiding en beperking kring verzekerden volksverzekeringen BES* and an amendment to Article 4(1) (e) of the *Besluit Zorgverzekering BES*. According to these provisions, students from the Caribbean Netherlands remained insured under the *Wet algemene ouderdomsverzekering BES* (General Old Age Pension Act BES) or the BES health insurance while studying in the European Netherlands providing that they were not working in the Netherlands or staying in the European Netherlands for any other reason than study alone. Since these students will now be insured in the Netherlands when they are resident there, this has been amended.”

[Bulletin of Acts and Decrees 2022, 193 | Overheid.nl > Official announcements \(officielebekendmakingen.nl\)](#)

The National Ombudsman replied to this as follows by email dated 30 June 2022:

(..) I would also like to inform you that we have decided to publish our interim report on action in response to recommendations from the report Concerns of Caribbean Students in the first week of September 2022 (instead of July 2022). In the light of your previous emails, we have some further questions.



In your email message of 13 June 2022, you write that the SVB policy (as far as the residence assessment is concerned) can be summarised as follows: if, on the date of arrival in the Netherlands, it can be reasonably assumed that the stay in the Netherlands will last longer than three years, the SVB will accept residence with effect from the date of arrival unless there are contraindications to prevent that acceptance. In the context of a specific case, this can turn out differently if, for example, there are still strong connections with the country or place of origin. This means that there is a chance that Caribbean students (with Dutch nationality) will still not have access to Dutch basic health insurance as a result of the SVB policy.

Take, for example, the case of students on a study programme in the European Netherlands that lasts less than three years.

- We are wondering what is meant by having 'strong connections with the country of origin'. Have any specific criteria been drawn up for this? If so, what are they?

You also explain that, because of the residence assessment conducted by the SVB, students doing a study programme lasting less than three years do not have access to Dutch basic health insurance.

- Can you explain why the decision was made to opt for a three-year period? To what extent is an assessment made as to whether a student will actually be studying in the Netherlands for longer than three years? After all, most students are likely to say that they are coming to study for a course lasting at least four years.
- What happens if a student decides to return to the islands after just a year? Does that have any (negative) repercussions in terms of insurance? In other words, does this mean, retroactively, that a student has not been properly insured for a whole year?
- Moreover, how does this affect any medical costs that may have been incurred? Will the student need to pay them retroactively?
- Is there a simple way in which the student can revert back to the previous health insurance?

Finally, in the same email, you write that the decision has been made not to communicate anything to students yet because nothing will change for them until the end of September 2022. However, we are concerned about the group of students coming to study in the Netherlands this summer (for the academic year 2022-2023).

- What is being done to prevent these students falling between two stools? When will they be informed (and by whom)?
- Do I understand correctly that the SVB policy (residence assessment) has not been included in the amendment to the *BUB* that takes effect on 1 July 2022 and the decision has therefore been made to maintain the current working procedure until the end of this year?
- And will the current situation apply both to students from the BES islands (whose BES health insurance is retained when they come to the Netherlands) and to students from the CAS countries (who have to take out international health insurance for a six-month period)?