



Gwendoline van Putten School  
Attn. Mr H. Odijk  
Staff Member  
Fiscal z/n  
P.O. Box 190  
Oranjestad, Sint Eustatius  
Caribbean Netherlands

**Postal address**

P.O. Box 93122  
2509 AC The Hague  
The Netherlands

**Address for visitors**

Bezuidenhoutseweg 151  
2594 AG The Hague  
The Netherlands

T +31 (0)70 356 35 63

F +31 (0)70 360 75 72

E [bureau@nationaleombudsman.nl](mailto:bureau@nationaleombudsman.nl)

I [www.nationaleombudsman.nl](http://www.nationaleombudsman.nl)

**Extension**

**Date**

8 november 2016

**Our reference**

2015.30532

**Contact person**

**Subject**

Report letter

Dear Mr Odijk,

You contacted the National Ombudsman on behalf of the Gwendoline van Putten School on Sint Eustatius because of Internet usage problems encountered by the school. According to the school, the island's Internet capacity falls far short of Dutch standards and the prices for Internet access are extraordinarily high. This makes it difficult for the school to offer the desired level of education.

**Concerns made known**

We made your concerns known to the Public Body of Sint Eustatius and to the Minister of the Interior and Kingdom Relations and asked a number of questions. You received copies of the relevant communications.

We have not received a response from the Public Body.

The Minister of the Interior and Kingdom Relations responded in a letter dated 5 September 2016. The Minister stated that a number of steps had been taken to be able to offer faster and cheaper Internet in the Caribbean Netherlands. As a result of these steps, Internet speed will increase by at least 25 MB/s this school year. According to the Minister, this is a matter for which various parties bear responsibility. The school is responsible for educational policy with support from the Ministry of Education, Culture and Science, while the same Ministry has a proactive role in stimulating developments in the Internet field. For its part, the Ministry of the Interior and Kingdom Relations has removed a significant difficulty by commissioning the installation of a subsea cable to Saba and Sint Eustatius, while local telecom operator Eutel is responsible for the local infrastructure on the island, says the Minister. As Eutel's shares are held by the Public Body, the Minister points out that the Public Body can influence Internet policy, taking into account that Eutel is a company that needs to make a profit in order to provide

**Our number**

2015.30532

2

services. The Minister further stated that the Ministry of Economic Affairs, which is responsible for telecommunications and business establishment policy and for issuing telecommunications licences and permits, is amending where necessary the policy, legislative and regulatory frameworks for the Caribbean Netherlands. The Minister indicated that, as a result of this, a subsidy scheme entered into effect on 1 July 2016 for improving telecommunication facilities in the Caribbean Netherlands. The local telecom operator may apply for a subsidy for creating telecom facilities in the public interest, for example for educational purposes. The subsidy may also be used to solve problems affecting the local infrastructure, so as to enable schools to be among those that benefit from high-speed Internet and from the advantages offered by the subsea cable. The Minister concluded by noting that the solution for faster and cheaper Internet is a step-by-step process. It requires a joint effort. As the coordinating minister, he will continue to press for progress in this matter. The Minister said that he would remain in contact with the National Ombudsman if new developments occurred.

In an e-mail dated 13 October 2016, you responded to the foregoing. You further gave an update on the most recent developments in an e-mail dated 26 October 2016. You informed the National Ombudsman that a fibre-optic cable had already been laid from the school to Eutel's network. You further stated that the school had engaged in talks with Eutel and Commissioner Simmons of the Public Body. It emerged from this dialogue that Eutel was unaware of the subsidy scheme even though, as you pointed out, there had recently been contact between Eutel and the Ministry of Economic Affairs. You further indicated that Eutel was now going to apply for a subsidy after you let the company see the letter from the Minister of the Interior and Kingdom Relations to the National Ombudsman. The subsidy was said to be necessary for the school because the school is unable to afford USD 5,000 per month for an Internet speed of 100 MB/s, which Eutel can now offer without making a profit. You say this is also a requisite on account of the longer-term planning for a step-by-step transition to 1000 MB/s (1 GB/s) if the school actually starts to use ICT facilities during lessons, as is standard practice in the European Netherlands.

**Findings and evaluation**

The National Ombudsman checks whether government is acting properly. One of the requirements is that the government respects the fundamental rights of citizens. The right to education is a fundamental right embedded in the Constitution of the Netherlands and in the European Convention on Human Rights. It is a fundamental right that requires an active approach by the government.

**Our number**

2015.30532

3

In November 2015 the Dutch House of Representatives passed a bill calling for all primary schools (in the European Netherlands) to be connected to high-speed Internet. The House of Representatives regards this as a government responsibility that should be carried out in cooperation with the private sector. The United Nations has designated affordable Internet access as an important condition for the development of any country or society. The existence of good ICT facilities is directly linked to achievement of many of the 17 Sustainable Development Goals defined by the UN, in this instance the provision of good education.

In short, the government may be expected to ensure that schools have good Internet access. If market disturbances prevent this from happening, it is incumbent upon the government (including central government) to bring about improvement.

By Dutch standards the Gwendoline van Putten School on Sint Eustatius unquestionably needs faster and cheaper Internet in order to offer education at the desired level. This means that at present the right to education is insufficiently assured. By the same token it is evident that faster and cheaper Internet cannot be accomplished overnight due to the differences between the Caribbean and European Netherlands in terms of infrastructure, market forces and the exceptionally small size of the island. But this does prompt the question of whether the government is making sufficient efforts to bring Internet capacity and costs to an acceptable level for good and affordable education.

A lot started to happen after the National Ombudsman opened the investigation in February 2016, as evidenced by the Minister's response. The Minister has shown that he is making efforts and taking responsibility. In a reasoned explanation the Minister called this a process in which several parties must work together (i.e. the school, the Public Body, the Ministry of the Interior and Kingdom Relations, the Ministry of Education, Culture and Science, and the Ministry of Economic Affairs), whereby in his capacity as the coordinating minister he will continue to press for progress. I assume that the Minister will keep all stakeholders informed of all steps being taken.

**Further steps**

It is now up to the parties mentioned by the Minister to act, with the Minister as coordinating member of government. I have informed the Minister that I wish to

**Our number**

2015.30532

4

hear from before 1 February 2017 about the current status of the process. I would also like to hear from you about any recent developments.

I have sent a copy of this letter to the Public Body of Sint Eustatius and to the Minister of the Interior and Kingdom Relations. In an accompanying letter, I asked the Minister to inform me before 1 February 2017 about the current status of the process.

Yours sincerely,



Reinier van Zutphen  
National Ombudsman of the Netherlands