

## Bad Corporate Governance example by MP De Weever

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Dear Editor,

The remarks of Member of Parliament Leroy De Weever (DP) raised quite some eyebrows, not in the last place within the legal community. In essence the MP states that MPs don't need a good or (sic!) "bad" Corporate Governance Council to "dictate" to the Prime Minister or Government how to do their job. He furthermore stated that the Corporate Governance Council (only) uses its position to frustrate government; that the Council should be disbanded and that the Corporate Governance Council is nothing more than a waste of taxpayers' money.

The remarks of De Weever seem to imply that he (and government) does (do not) agree with the contents of the Corporate Governance Code. His recommendation that people of the high councils of state (who - according to the MP - "should be changed as government changes so that the political will, will be serviced," clearly demonstrates that the MP either does not have a clue what the principles of corporate governance entail or that he (deliberately or not) fails to see the bigger picture of the interest of compliance with principles of corporate governance.

In the end government-owned companies are public assets, belonging to the people of Sint Maarten (and not to politicians that are, at any point of time, in Government). Government-owned companies should therefore not be used as political toys or as milchcows for political interest.

Proper entrepreneurship, including conducting business with integrity and transparency by the Managing Board, as well as adequate supervision thereon by a Supervisory Board of Directors, including accounting for the supervision conducted, are essential conditions for creating trust in government-owned companies.

The Corporate Governance Council, the CFT and the high councils of state (like the Advisory Council, the General Audit Chamber and the Ombudsman) are composed out of – non-political – critical independent professional thinkers. These councils can also be seen as the whistleblowers of the Country. These whistleblowers provide counterweight and counterargument to government and parliament. Whistleblowers are not supposed to serve any own or political interests. They must serve only the interests of the people. The question whether Country Sint Maarten needs whistleblowers is only a rhetorical question, as far as I am concerned.

Creation and stimulation of a good life - and investment climate is really in the interest of the people of Sint Maarten. To achieve same, we need proper administration, respect for "the rule of law," due compliance with principles of Corporate Governance, proper checks and balances and integrity of government. The Corporate Governance Council – which council does not dictate (as suggested by the MP) but only advises Government – may be considered "a pain in the butt" for the normal flow of political wheeling and dealing. However, this Council does definitely serve a role in Sint Maarten society that can and should not be underestimated. Therefore calls from politicians to disband or ignore this Council should be severely opposed.

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