

**YOUR PARTNER IN THE NORTHEAST CARIBBEAN**

WE COVER AND DELIVER TO:  
ST. MARTIN, ST. MAURITIA, GUYANA, SURINAM

We also offer digital subscription to our readers worldwide for immediate daily download before it even hits our presses!

**The Daily Herald**

www.thedailyherald.sx and on Facebook

tel: +1(721) 54-2323 / 54-2397 | fax: 54-2913  
advertising@thedailyherald.com | editorial@thedailyherald.com

# The Daily Herald

**GUAVABERRY FANS - THANK YOU FOR YOUR LOYALTY & SUPPORT**

**R. KELLY TRIAL STARTS, P. 34**

**Pandemic Lays Bare Diabetes Crisis In US Page 22**



**The Daily Herald**  
Profile your business **RIGHT HERE!**  
Contact your Sales Representative

VOL 31 NO. 067

Thursday, August 19, 2021

U.S. 0.75 CENTS / Naf. 1.50 / EC\$ 2.00

## PM: 'We cannot put a stop to our economy, we are in dire straits'

PHILIPSBURG--St. Maarten is in dire straits and cannot put a stop to its economy by locking down. Residents instead need to be responsible when it comes to stemming the spread of COVID-19. This was the clear message from Prime Minister Silveria Jacobs during the live Council of Ministers press briefing on

Wednesday. She said the country has racked up debts totalling Naf. 220 million as a result of COVID-19 and the country's economy is not near where it was prior to the pandemic.

"Last year when we talked about deceased persons, there was no

*Continued on page 9*

## St. Maarten close to utilising COVID-19 QR code system

PHILIPSBURG--Minister of Public Health, Social Development and Labor VSA Omar Otley said St. Maarten is ready to go live with the COVID-19 QR code system once official documentation has been received to do so.

This was announced by the minister during the live Council of Ministers press briefing on Wednesday.

Otley said the ministry has signed on to the European Union (EU) Digital COVID Certificate (DCC) system. The DCC is digital proof that a person has

either been vaccinated against COVID-19, received a negative test result or recovered from COVID-19.

According to the minister, St. Maarten is currently awaiting official documents needed that would allow the country to "go live" with the DCC.

When this goes live, all vaccinated persons will be able to send a request via the official government's website to receive their vaccination identification (VID) number. This VID will be linked into the DCC.

The minister said he also plans

*Continued on page 7*



Aerial view of Marigot Bay. Mooring buoys are soon to be installed in the bay.

## Mooring buoys and bridge fees on the horizon for French side

MARIGOT--French-side Port Authority Managing Director Albéric Ellis says a commission has begun analysing offers from bids submitted by companies for installation of eighty mooring buoys in the Bay of Marigot, which will be extended to Grand

Case and Cul-de-Sac in the future.

Anchorage fees are currently mostly concentrated in the Bay of Marigot, but not charged on the entire French territory. The mooring buoys will have a different fee, generating revenue for

the Port and the Collectivité, but they will also serve to enhance environmental protection and provide better organisation in the bay.

They will also change somewhat the perception that the French-

*Continued on page 7*

### IN BRIEF

#### Philipsburg REGULAR TESTING

Minister of Public Health Omar Otley says the government intends to implement a policy in which persons who are not vaccinated for COVID-19 may be subjected to regular COVID-19 testing. Page 4.

#### Philipsburg SEXUAL ABUSE

No trial date has yet been set in the case of a 33-year-old woman and her 40-year-old male neighbour who are both charged with the sexual abuse of five children. Page 3.

#### Marigot APPEAL FOR DONATIONS

Rotary Club of St. Martin North is appealing for donations to provide emergency shelter for the thousands of homeless people in the disaster area of Haiti. Page 5.

## Procedures for detention of mentally challenged flawed

By Jacqueline Hoofman

PHILIPSBURG--Two to three times a week, the nurses of the Mental Health Foundation Crisis Team are instructed to give patients injections at home or on the street, often with the help of the police. Officially, a judge must determine whether some-

one is incapacitated because of insanity and should receive coercive sedation or medication. However, in St. Maarten, the judge only comes into the picture when the patient has died.

At the request of psychiatrist Dr. Erik Hoencamp of the Mental Health Foundation, two Emergency Room (ER) physi-

cians at St. Maarten Medical Center (SMMC) sign documents to declare persons insane, for the purpose of sedation and administering of medication under duress.

Legally, the psychiatrist is not allowed to sign the declaration of insanity himself. Instead of having an independent psychiatrist assess whether it is correct and justified to declare the

patient insane, Dr. Hoencamp asks an ER physician to sign the statement.

ER physicians Raj Singh and Mershack Naawu are in the process of taking over Midtown Medical Clinic in Philipsburg, the general practice of Dr. Michael Mercuur who has retired. Dr. Mercuur is still the owner of Midtown Medical Clinic, formerly Mercuur Medical.

"Sometimes on a small island it is important to wear several hats and that is truly the case when it comes to Dr. Mercuur," the doctor himself wrote on the website of his medical clinic.

"Dr. Mercuur was the Police Doctor from 1995 to 2009, assisted in the establishment of the Mental Health Foundation (MHF) and was a founding board member [of MHF - Ed.].

*Continued on page 8*

**OUTN See ABOUT Inside**

**KEEP IT RUNNING LONGER STRONGER**

WITH **NAPA**

**KNOW HOW**

Tel: +1(721) 544 3355 • Tel: +1(721) 542 3555  
e-mail: sales@napa.sx

Facebook: NAPASXM

**SOMETHING FOR EVERYONE PSB BANK**

**EASY & CONVENIENT**

Ms Lalle Commercial Center, Bush Rd 26, Unit 2.12  
+542.8084 | www.psbbanktrv.com

Mortgages, Cars & Personal Loans | Insurances | Savings

**orange grove pharmacy**  
former Mullet Bay Pharmacy

**Supporting a Healthy Lifestyle**

Orange Grove Shopping Center #18  
+1 721 581 6243  
PH: +1 721 544 2013  
FX: +1 721 544 3610  
EM: info@orangegrovepharmacy.com  
FB: facebook.com/sxmpharmacy  
www.orangegrovepharmacy.com



## MOORING BUOYS AND BRIDGE FEES

Continued from page 1.

side fees in the marine sector are generally lower than those on the Dutch side.

"Fees put in place in Marigot are not purposely done to be lower than the Dutch side to gain some competitive advantage," Ellis emphasised. "We have fees based on cost and a certain amount of structure that has to be respected. Some of the fees on some vessels, depending on size, are cheaper on the French side and higher on the Dutch side. But it's not done to attract more vessels to the French side."

The mooring buoy project for Marigot, budgeted at around 800,000 to 900,000 euros, is 70 per cent financed by European funding. It is envisaged to have these buoys installed in the bay before December.

"There is a reflection going on [as to - Ed.] how we should extend anchorage fees to other zones," Ellis said. "We know the destination is a major market for yachting and companies or persons are profiting from this. Governments, whether French or Dutch, are not getting their rightful share. Because you are profiting from our destination, to cruise or sell services, it's understandable that we should generate revenue from this. But it also means infrastructure has to be [installed] or improved to warrant those fees."

A case in point is the Sandy Ground Bridge renovation. The Collectivité has asked the Port to study implementation of a fee structure for vessels using the bridge. Inevitably, the Collectivité wants to recoup cost from its huge investment in the bridge.

"Once the bridge renovation is finished, the management of the daily operations and management will be transferred to the Port Authority. We will also have to look into how to generate revenue to cover bridge maintenance and insurance for the structure," Ellis said.

With regard to clean-up of Simpson Bay Lagoon, a decision will be made to award the contract for boat-wreck removal on the French side, the first step in the clean-up, hopefully by September. Once wrecks have been removed from the French side of the lagoon (the company Koole has almost finished removing wrecks from the Dutch-side part), this will pave the way for studying the environmental and economic aspects of the lagoon, with a view to its joint management.

Ellis said funds for the European INTERREG programme 2014-2020 were made available for both sides of the island, but unfortunately were not all used. The funds will now be re-injected into the 2021-2027 programme, permitting environmental studies to be carried out and implementing a joint management structure.

"Simpson Bay Lagoon has enormous potential, for both French and Dutch sides, but to be able to profit from this potential the lagoon needs to be cleaned up and better organised," Ellis said. "You have a number of commercial activities going on that should better profit both sides. There are day-cruisers in the lagoon, vessels at anchor [and] charter vessels traversing the lagoon to go to and from the airport. They are not doing that for free."

"We have to put in channel buoys to ensure the passage is secure. That comes at a cost. They have to be maintained and insured. So, if for years companies have been profiting from the lagoon free of charge, that can no longer continue. Indeed, the Collectivité was approached by one of the Dutch-side commissioners to discuss how the lagoon can be jointly managed, and to put fees in place to benefit both sides."

St. Maarten Marine Trades Association (SMMTA) has called for uniform policies for the entire island, so "one side is not disadvantaged over the other." As for the prospect of harmonisation on this subject, Ellis is hesitant.

"We can try. But costs on both sides are not the same. Then you have European regulations. For me the most important point is that this is done jointly with a coherent approach. I believe there is a strong political will to do it. Although it was not the case in the 2014-2020 programme, it is the French-side Port Authority that will make sure these environmental studies are done. Then we can work on improving our cooperation with the Port Authority in Philipsburg and Simpson Bay Lagoon Corporation (SLAC)."

Elsewhere, the Marina Fort Louis renovation is on schedule. The project, including the administration building, should be ready for the new season and will be 80 per cent completed. Some work will continue on other aspects of the marina in 2022. Like other marinas showing a downward trend, Fort Louis has seen its revenues in this past season go down by 30-35 per cent.

"With this so-called fourth wave of the pandemic, protocols and regulations keep changing so it's difficult to predict when anything is going to get better. We're just hoping more and more people get vaccinated so that measures can be eased."

The outlook of uncertainty brought on by the pandemic is also affecting the cruise ship industry. Ellis says there is now a trend of ships "fishing"; making three bookings for one ship at three different destinations on the same day. If one destination falls through, the ship still has two other options.

"We get enquiries, but bookings are far from definite," he says. More clarity on the state of the industry will be obtained when port officials attend the Seatrade conference in Miami, Florida, on September 27.

Environmental and dredging studies for extension of the Galisbay dock for a dedicated cruise ship pier are still ongoing.

The 1.4-million-euro ferry terminal renovation is also on schedule and due to be inaugurated this September. A major part of the renovation has been to make the structure much more resilient against hurricanes. There will be a secure dock for cruise ship tenders and a dedicated lounge for arriving cruise ship passengers, which can also be used for regular passengers when there is no cruise ship call.

"Since April 2020 the only operation we have is the Voyager service between Marigot and St. Barths," Ellis said. "We have not had an Anguilla ferry since March 13, 2020. I'm in discussion with my port colleagues in Anguilla on how we can restart. When we were ready, they were not."

"When the ferry service does resume from Anguilla, it most likely won't be the same as before. Rotations every 45 minutes will probably be reduced and most likely ferries will only be filled to 50 per cent capacity. New schedules will have to be made. These are measures we have to look at to continue protecting the population."



Aruba's Water and Electricity Company WEB in a pressing letter urged employees to take the COVID-19 vaccine. Effective September 1, they are to present proof of such or a doctor's letter that they cannot be vaccinated for medical reasons. Management said "additional steps to ensure a safe working environment" are being considered. One option is to require frequent testing of unvaccinated personnel.

## Seventeen-year-old suspect may be sent to Netherlands

PHILIPSBURG--A seventeen-year-old suspect charged with murder and manslaughter may be sent to the Netherlands for placement in a youth detention centre.

Under a so-called "PIJ measure", a young person with poor development or a disorder can be admitted to a juvenile detention centre. There he receives intensive treatment and supervision to prevent a repetition of the crime.

After a hearing in this case on June 16, the Court of First Instance issued an intermediate judgement in which the Prosecutor's Office was ordered to investigate the possibilities of imposing such a measure.

A psychologist and a psychiatrist both recommended such a trajectory, either at Miss Lalie Youth Detention and Rehabilitation Centre in St. Maarten, or at an institution in the Netherlands.

However, treatment of suspect J.B. in St. Maarten is not possible "for practical and technical" reasons, the prosecutor stated during Wednesday's hearing. Steps will now be taken to investigate whether B. can be placed in an institution in the Netherlands, the prosecutor said.

He hopes to know more before the next hearing, which is scheduled for September 15. In the meantime, B. is to remain in pre-trial detention.

Lawyer Shaira Bommel requested that the court lift her client's pre-trial detention due to his father's illness. Bommel said she cannot visit her client for security reasons. For the same reason, her client is locked in his room at Miss Lalie Centre, where currently 12 young persons are detained. "It cannot go on like this," Bommel said about the circumstances under which her client is detained.

The prosecutor said he understood that the young defendant wants to be with his father, "but he is accused of very serious crimes, among them murder, the victim of which will never be able to speak with his family anymore. He should stay in detention."

The judge denied the lawyer's request. "It is bothersome that you have to stay in your room for a long time, but you are accused of very serious crimes," the judge told the young suspect, who attended the hearing via videoconferencing.

## COVID-19 QR CODE SYSTEM

Continued from page 1.

to establish relationships with the laboratories on St. Maarten in which COVID-19 test results for individuals could be automatically linked to the system.

He said that this system is beneficial for travel purposes as it will make it much more accessible to others to find out other country's COVID-19 travel protocols and regulations.

He also noted that the DCC may also prove to be a security buffer for local businesses. This system can be used by businesses

to screen a person's status prior to entering their establishments. This could be used to prevent persons who have tested positive for COVID-19 from entering these establishments. He added that using the DCC system would provide a layer of protection to businesses.

According to the minister, a Memorandum of Intent (MOI) was signed between himself, on behalf of the government, and the nightclub owners to create such protocols.

**S M** St. Maarten Medical Center  
**M C** We Care Together!

**PATIENT VISITING HOURS:  
DUE TO THE COVID-19 SITUATION,  
VISITING HOURS HAVE BEEN  
SUSPENDED UNTIL FURTHER NOTICE**

Tel: 543-1111 | www.smmc.sx



**St. Maarten Optical N.V.**  
S.X.M Optical

**EYE EXAMS**  
RETINA PHOTOGRAPHY

**FREE**  
GLAUCOMA TESTING

For your appointment contact us:  
 1721-542-2736  
 1721-524-1890

Walter J.A. Nisbeth Road#51, Pondfill,  
Philipsburg, St. Maarten