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EUROPEAN SOCIAL CHARTER

3rd National Report on the implementation of the European
Social Charter
submitted by

**THE GOVERNMENT OF CURAÇAO
(Caribbean part of the Kingdom of the
Netherlands)**

(Article 5 and 6)

for the period
01/01/2009 – 31/12/2012)

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**GOVERNMENT OF THE COUNTY OF CURAÇAO
(CARIBBEAN PART OF THE KINGDOM OF THE NETHERLANDS)**

**2013 reports on the articles 5 and 6 of the European Social Charter
(the year 2012)**

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INTRODUCTION

This short summary contains the reports on the articles 5 (on collective bargaining) and 6 (right to strike) over the year 2012 from the Government of Curaçao. The summary contains firstly an overview of two issues to be highlighted:

- A. An overview of the economic situation;
- B. Recommitment to the National dialogue

In the report section the annulation of the restriction on the right of strike of the civil servant, the reallocation of personell within the Bureau Mediation and the initiation of the so called social intervention in the Bureau Social Mediation, both bureaus are part of the Ministry of Social Development Labour and Welfare, will be elaborated upon.

Last but not least, a small summary, under the paragraph Conclusion, will be given on page 7 of this report.

A. THE ECONOMIC SITUATION IN CURAÇAO

According to the Bank's estimate, the Curaçao economy contracted by 0.1% in 2012. This contraction was accompanied by an inflation rate of 3.2%, an acceleration compared to the inflation of 2.3% that was registered in 2011. The increased inflationary pressures were largely the result of the rise in the sales tax rate from 5.0% to 6.0% in January 2012. In addition, changes in international oil prices were passed through into domestic prices with a lag of 2 months.

The economic contraction in 2012 was the result of a decline in domestic demand, mitigated by increased net foreign demand. The latter was the result of a rise in the exports of goods and services. Domestic demand shrank in 2012 as a result of a decline in both private and public spending. The decline in real private spending was the result of a decline in private consumption as the increased inflationary pressures eroded consumer's purchasing power. In contrast, real private investment expanded because of, among other things, maintenance work on the Isla refinery, remodeling at some hotels, and investments in the water utility plant of Curaçao. Real public spending dropped, as government consumption contracted in real terms. Meanwhile, government investment increased reflecting investments in Curaçao's road infrastructure.

Activities increased in the hotels & restaurants sector reflecting gains in both stay-over and cruise tourism. Stay-over tourism grew because of more visitors from South America and Europe. The number of stay-over visitors from Europe rose as a result of

more airlift. Meanwhile, the number of stay-over tourists from South America expanded because of more marketing efforts. The transport, storage & communication sector performed well, owing to, among other things, increased air transportation and airport-related activities. The harbor recorded positive results because of a growth in the number of ships piloted into the port, more cargo movements, and increased oil storage activities. In the manufacturing sector, real value added rose largely as a result of maintenance work on the cat cracker at the Isla refinery. In contrast, the performance of the wholesale and retail trade sector was disappointing due to the decline in domestic spending. However, more re-exports by the free zone companies and the increased stay-over tourism mitigated the contraction in the wholesale and retail trade sector. Real value added in the financial services sector declined as well, because of a contraction in the international financial services as indicated by declines in wages and salaries and other operational expenses.

Table 1 : Macro-economic facts Curaçao

	2006	2007	2008	2009	2010	2011	2012
GDP(mill. NAf)	4,398	4,643	5,072	5,136	5,283	5,434	5,608
Real growth GDP	2.1%	2.5%	2.2%	-0.5%	0.1%	0.6%	-0.1%
Inflation	3.1%	3.0%	6.9%	1.8%	2.8%	2.3%	3.2%
Unemployment	14.6%	12.4%	10.3%	9.7%	10.0%	9.8%	9.8%

Source: Central Bank of Curaçao and Sint Maarten

B.RECOMMITMENT TO THE NATIONAL DIALOGUE

In the light of the economic crisis, with a further deterioration of the balance of payments and an increasing budget deficit, a rather positive development began slowly breaking through and is to be highlighted in this paragraph.

After the year 2008, the year in which the tripartite accorded labour market system was extensively discussed and presented, where no more than 100 stakeholders and 40 experts from all segments of our society had been diligently working together to formulate this masterplan system, the process of social dialogue stagnated considerably.

But on the 19th November 2012, the interim cabinet of Prime Minister Stanley Betrian approached the representatives of the KOLABORATIVO, the tripartite social dialogue platform of Curaçao, to discuss a plan for short, medium and long-term strategies to address the reigning financial, economic, social and balance of payments crises which was impacting all aspects of the community. The stakeholders called together at that

time, representing the commerce and labor sectors, which included the national and central sectorial representations like SSK, CGTC, VBC and KvK, first met together and came to consensus on key points they wanted to discuss on the very short term as possible first steps in addressing the enormous deficits of the government and government companies which impact financial, social and economic aspects of the community, the negative balance of payments and the liquidity problems of the island.(1)

Through the internationally used formal dialogue strategies, as laid out by the ILO Conventions 144 and 152 and consistently applied by Kolaborativo since 2003, the commerce and labor representatives participated in the national dialogue focused on solutions to address financial measures that impacted purchasing power, social groups, sustainable development and the overall economy.

This national dialogue process took place in an open and transparent manner. The process and its outcomes emphatically took into consideration the balance needed in the social and economic policies of the country. The social partners in Kolaborativo, as equal partners of the government, worked tirelessly and closely with the government to implement two proposals.

Two proposals for temporary painful measures to be taken on the topics of elder pensioen and health care, topics wich heavily weighted on public funds, were extensively discussed on tripartite basis and implemented. Working with very short deadlines and limited acces to needed data, all participants in this process of national dialogue set the first step towards a more integral solution. A long term process of continuous dialogue in the community will result in short, medium and long term solution which has to be grounded on consensus to go forward and to bear fruits.(2)

Because the measures taken are not within the range of scope of these reports on the articles 5 and 6 of the Charter, only a copy of the measures to decrease the elder pension and the introduction of a basic health care insurance (in the Dutch language) to stay within the budgetary limits of the country, will be sent to the European Committee on Social Rights (ANNEX a.).

After this exercise on national level, the Council of Ministers of Curaçao reaffirmed its commitment with the Kolaborativo as set forth in the social dialogue protocol of 2003. As for that date, the ministers of the interim cabinet and now the ministers of a new cabinet under Prime Minister Ivar Asjes are now completely participating in the regular Kolaborativo meetings and specific topic of national importance are brought in for discussion within the forementioned platform also within the community at large.

1 Curaçao Cronicle 19th November 2012

2 Curaçao Cronicle 17th December 2012 and 14th of February 2013

REPORT SECTION

on the articles 5 (collective bargaining) and 6 (right to strike) of the European Social Charter

In this report section 3 aspects will pass the revue:

- I. the annulation of the restriction made on the right to strike of the civil servant (article 6 paragraph 4 ANNEX b);
- II. Bureau Mediation
- III. Bureau on Social Mediation

First of all, the restriction made on the article 6 paragraph 4 is completely eliminated in the national laws. A committee with members of several ministeries investigated whether concerning articles in the Penal Code, the Civil Code and the Ordinance on Civil Servants (P.B. 2010, no 87) had to be changed in order to comply with the stipulation laid down in the above mentioned article of the European Social Charter.

On national level no stone was left unturned to eliminate this restriction that a civil servant has no right to strike. In practice this restriction was void because based on jurisprudence of the Court of Justice of Curaçao strikes were, in most of the cases, justified.

Now this annulation of the restriction on article 6 paragraph 4 is accoored by the government on kingdom level (read: the Kingdom of the Netherlands), from there on the Council of Euorpe will be informed duely.

Secondly, the Bureau Mediation, consisting formerly of 3 officials, during the reporting year confronted serious problems with the death of an experenced official and the fact that the senior Mediator reach the age of retirement. With the personell capacity reduced to less then 50%, no interventions, referenda or collective agreements with the unions could take place.

The government was forced to, together with the representatives of the unions, looked into the possibilities to come to temporary solutions, until in mid-July of 2013 the retired Mediator was offered a temporary contract to upgrade new personell by on-the-work floortrainings. This solution is experenced as quite satisfactory by both the social partners as by the government.

Last but not least, a short summary on the Bureau Social Mediation will be provided With the constitutional reform the Curaçaoan government as of 10th of October 2010 implemented a remarkabel innovation by placing Labour and Social Development in the same ministry. In doing so, the government aims to promote social interventions, such

as conflict resolution and labour development. But also the government aims to combine activation on different levels: in labour development, neighbourhood development and personal development. The Social Mediation Bureau is instituted in order to halt the increasing number of subsidized judicial cases, the so called pro deo cases.

For some years already, the government provide persons with less then an minimum income per month (Naf1 1500,-- (approximate 800.00 US dollars) judicial assistance of a lawyer. This assistance is given, on free basis or against a small contribution and is provided mainly for labour disputes and family disputes (divorce, alimony, issues of inheritance). Recently however, the amount of these so called pro deo cases on divorce, alimony and even conflict between neighbours increased so rapidly that measures had to taken to control these judicial costs (attorney's fee) weighing heavily on the public funds.

After satisfactory social mediation, the course to and the costs of an independent judge is avoided.

If after social mediation by the Bureau Social Mediation, the client is not satisfied, the course to an independent judge remains open and is financially offered and covered by the government.

Table 2

	Alimony	Divorce	Debt consolidation	Labour	Accidents	Heritance	Parenthood	Hood	Relations
2012	5	12	3	7	1	1	6	1	3
2013	9	10	13	15	3	6	9	3	9

Source: Bureau Social Medation of the Ministry of Social Development Labour and Welfare

CONCLUSION

The economic crisis in Curaçao , as stated in paragraph A of this document, resulted unexpectedly in one positive result. The interim cabinet of the Prime Minister Stanley Betrian in 2012 and the government of the current Prime Minister Ivar Asjes recommitted to the national dialogue process directly and indirectly to the social dialogue and tripartism with the social partners organized within the platform Kolaborativo. This commitment brought the implementation of the ILO Conventions 144 and 152 (social dialogue) to a higher level. All stakeholders, representatives of the social partners, governments and experts united in resolving pressing issues, such as the reduction of the costs to the elder pension and the health care insurance, to the benefit of the community at large.

Within the Ministry of Social Developments Labour and Welfare no stone was left unturned to equip the Bureau Mediation so the personell can perform on a professional basis and taking care of the responsibility to organize referenda, mediate in strikes and promote collective bargaining as laid down in the articles 5 and 6 of the Charter.

On top of that, the government placed an innovative element by instituting the Bureau Social Mediation, where persons with limited financial resources can freely get advice on labour and family dispute, avoiding thus the costly course to an independent judge.

Bijlage 4: Scenario's, inclusief varianten en de sociaal economische effecten

- i. Variant 1: Basisverzekering Ziektekosten - kenmerken, uitgangspunten [p. 26]
- ii. Variant 1: Bv Zk actuariële effecten [p. 27 en 28]
- iii. Variant 2: Bv Zk (kenmerken) [p. 29]
- iv. Variant 2: Bv Zk actuariële effecten [p. 30 en 31]
- v. Variant 0: Alg. Ouderdomsvoorziening "Niets doen" fondsontwikkeling [p. 32]
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- ix. Variant 2: AOV actuariële fondsontwikkelingen [p. 38 en 39]
- x. Macro economische effecten van drie scenario's [p. 40 en 41]
- xi. Koopkrachteffecten op personen/huishoudens [vanaf p. 42]

i. **Variant 1: Basis Ziektekostenverzekering**

Kenmerken:

1. Nominale premie ANG 82 (<18 jaar, 0);
2. Brillen en prothesen uit het pakket;
3. Werkgeverspremie van 6,4 naar 9,0% (extra 2,6%);
4. Werknemerspremie van 2,1% naar 3,0% (extra 0,9%);
5. Premie van 2,1% door de overhead wordt afgeschaft;
6. De ambtenaren en de FZOG verzekerden worden opgenomen in de basisverzekering;
7. Verhoging van de loongrens naar ANG 100.000;
8. Overheidsbijdrage van ANG 235 miljoen;
9. Registratie van burgers bij één zorgverlener

Uitgangspunten:

Jaarlijkse stijging ziektekosten 5% (incl. vergrijzing);
Jaarlijkse inkomensgroei is 0;

Premieondergrens is ANG 12.000 (1000/maand); Premiebovengrens is ANG 100.000.
Eigen risico is 0.

NB. Dit betekent dat de afspraak met SOAW ten aanzien van een "gliding scale" voor personen met een inkomen van ANG 1.000 tot ANG 1.500 per maand voor 1 januari 2013 moet worden geconcretiseerd. Hierdoor ontstaat een geleidelijke overgang voor personen met een inkomen van meer dan ANG 1.000.

Landsbijdrage: 235, 244 en 251 mln. (2013, 2014 en 2015);
Administratiekosten: 7,6, 6% (2013, 2014 en 2015);

Additionele bezuinigingen:

Medische uitzendingen vanwege cathlab 2, 3, 3 mln. (2013, 2014 en 2015);
Laboratorium 4 mln. per jaar; Medisch specialisten 4 mln. per jaar;
Bezuiniging medicijnen is aangepast naar 19,6 mln. per jaar (korte termijn).

Extra:

Compliance 9, 15, 27 mln. (2013, 2014 en 2015), verdeeld naar inkomsten en kosten;
Verlaging wettelijke reserve 25, 19 en 6 mln. (2013, 2014 en 2015);
Om aansluiting te vinden tussen het rekenmodel (gemiddelden over de lange termijn) en de begrotingsoverzichten 2013, 2014 en 2015 is een correctiefactor toegepast welke per jaar kan worden ingesteld.

In de overzichten is de verlaging van de wettelijke reserve niet verwerkt!
Deze betreft ANG 25, 19 en 6 mln. over 2013, 2014 en 2015.

Hiermee kunnen de tekorten 2013 en 2014 worden opgevangen.

NB. Het gaat in de scenario's om de jaren 2013 en 2014 !! (korte termijn)

Variant 1: Basis Ziektekostenverzekering actuariële effecten voor het fonds

Parameters (all amounts in ANG)

Invoeringsdatum: 1-Jan-2013

Premiën	12,000
Min income / year	100,000
Max income / year	0.0
Increases with income increase parameter	

	Under Min	Over Min
Flat premium child	0	0
Flat premium adult	0	82
Flat premium retiree	0	82
Annual increase	3.00%	

	Under Min	Over Min
% income ER	0.00%	9.00%
% income EE	0.00%	3.00%
% income retiree	0.00%	10.00%

Note no premiums over max

Fixed amount	235,000,000
Annual increase	3.50%

incl. 5 min vanuit care

Other

1 time increase inc. distr	0.00%
Annual increase income pp	0.00%
Interest on reserves	3.00%
Interest on deficits	5.00%

Own risk per year pp	0
Annual increase	2.00%
Weighted use own risk	80.00%

Start Year	2013
Start Reserve	0
Adm Cost (% MedCost2011)	7.00%
Annual increase	-9.00%

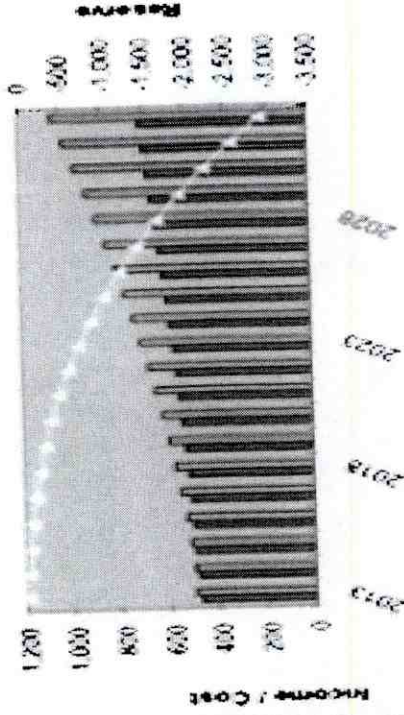
Retirement age	65
Adult age	15

Mortality: GBMV0005

Beleidsplaat (aan te passen in anders sheet)

A. Tandheelkunde (behandeling eruit)	v	F. Welzijn comp thuiszorg eruit	v
A. Tandheelkunde (preventie eruit)		G. Ligplaatsen 3e klas	v
B. Invoering Eigen risico		H. Nieuwe belevingsstructuur	
C. Fysio vermindering	v	I. Marge geneesmiddelen	
D. Anti conceptiepl		J. Nieuw ziekenhuis	
E. Spoedisend vervoer eruit			

All amounts in ANG millions



Reserve na 20 jaar: -2,927
Reserve na 10 jaar: -677

Immigration / emigration input: see separate sheet
Birth: separate sheet

Besparingen:
15.2% op medicijnen.

Waarde reserve uit boedelopschieding ZV is 0

iii. Variant 2: Basisverzekering Ziektekosten

Kenmerken:

1. **Nominale premie ANG 3.500;**
2. **Landsbijdrage mogelijk verlaagd;**
3. **Min- en onvermogens betaald door de overheid (nader uit te werken).**

Om een goede vergelijking te hebben met scenario A zijn de kosten, opbrengsten en de meeste variabelen gelijk.

Het uitgangspunt van het premiestelsel is echter compleet anders. In plaats van een inkomensafhankelijke premie wordt slechts een nominale premie geheven die voor iedereen gelijk is. Dat betekent dat alle deelnemers, behalve kinderen tot 18 jaar, deze nominale premie betalen.

Om een vergelijkbaar resultaat te boeken voor 2013, 2014 en 2015 wordt de landsbijdrage verlaagd van 235 mln. naar 100 mln. Optisch lijkt dit een besparing, echter het probleem van de betaalbaarheid voor lage inkomens wordt hiermee vergroot.

De compensatie voor lage inkomens moet door SOAW, net als bij scenario A, worden opgelost met behulp van een "gliding scale". Indien hierbij dezelfde criteria worden aangehouden voor beide opties, zou scenario B mogelijk een lastenverschuiving bewerkstelligen. Anderzijds, zou het mogelijk toch tot een verbeterde efficiency en "compliance" kunnen leiden, vanwege de concurrentie (marktwerking), echter, dit alternatief zou nader moeten worden onderzocht.

De voordelen lijken vooral beheertechnisch.

Variant 2: Basis Ziektkostenverzekering actuariële effecten voor het fonds

Parameters (all amounts in ANG)

Invoeringsdatum 1-Jan-2013

Premiums	
Min income / year	0
Max income / year	100,000
Increases with income increase parameter	0.0

	Under Min	Over Min
Flat premium child	0	0
Flat premium adult	0	3,500
Flat premium retiree	0	3,500
Annual increase	3.00%	

	Under Min	Over Min
% income ER	0.00%	0.00%
% income EE	0.00%	0.00%
% income retiree	0.00%	0.00%

Note: no premiums over max

Fixed amount	100,000,000
Annual increase	3.50%

incl. 5 mln verzuit care

Other

1 time increase inc distr	0.00%
Annual increase income PP	0.00%
Interest on reserves	3.00%
Interest on deficits	5.00%

Own risk per year PP	0
Annual increase	2.00%
Weighted use own risk	80.00%

Start Year	2013
Start Reserve	0
Adm Cost (% MedCost2011)	7.00%
Annual increase	-9.00%

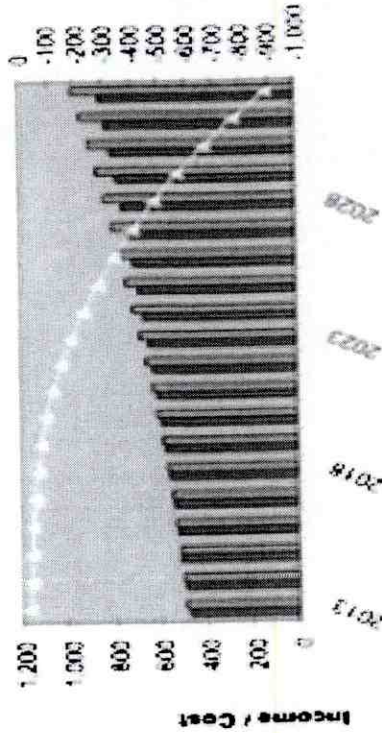
Retirement age	65
Adult age	15

Mortality GB/MV0005

Beleidsopties (aan te passen in andere sheet)

A. Tandheelkunde (behandeling eruit)	V	F. Welzijn comp thuiszorg eruit	V
A. Tandheelkunde (preventie eruit)		G. Ligdagen 3e klas	V
B. Invoering Eigen risico		H. Nieuwe beloningsstructuur	
C. Fysio vermindering	V	I. Marge geneesmiddelen	
D. Anti conceptiepill		J. Nieuw ziekenhuis	
E. Speedisend vervoer eruit			

All amounts in ANG millions



Year

Reserve na 20 jaar

Reserve na 10 jaar

-894

-176

Immigration / emigration input: see separate sheet
Birth: separate sheet

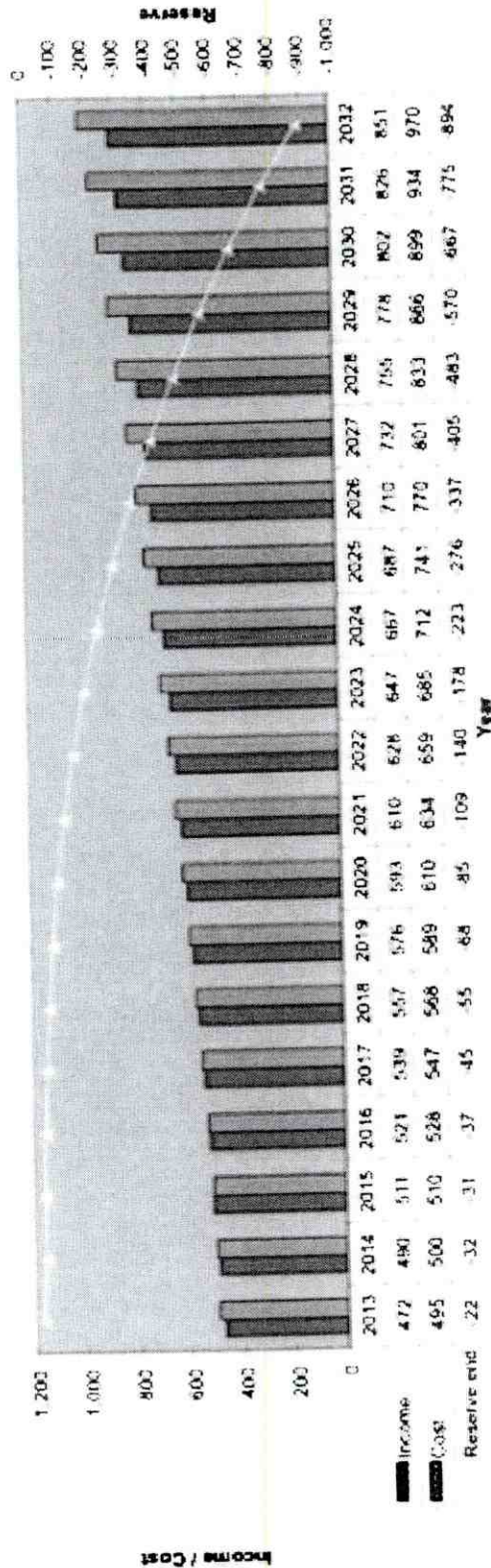
besparingen:
15,2% op medicijnen.

startreserve uit boedelafdeling ZV is 0

Variante 2: Basis Ziektekostenverzekering actuariële effecten voor het fonds (vervolg)

Ziektekostenverzekering 2013 Land Curacao

All amounts in ANG millions



Year	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	
Scale	471	487	504	521	539	557	576	593	610	628	647	667	687	710	732	755	778	802	826	851	
Premiums	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Interest	4	6	12																		
compliance																					
correctie	-3	-3	-5																		
Income	472	490	511	521	539	557	576	593	610	628	647	667	687	710	732	755	778	802	826	851	
Medical Cost	444	462	482	503	524	546	568	591	615	640	666	692	720	747	776	805	834	865	895	926	
Admin. Cost	31	28	26	23	21	19	18	16	15	13	12	11	10	9	8	8	7	6	6	5	
Interest Cost	0	1	2	2	2	2	3	3	4	5	7	9	11	14	17	20	24	28	33	39	
compliance	-5	-9	-15																		
correctie	25	17	16																		
Cost	495	500	510	528	547	568	589	610	634	659	685	712	741	770	801	833	866	899	934	970	
Result	-22	-9	1	-6	-8	-10	-12	-17	-24	-31	-38	-45	-53	-61	-69	-78	-87	-97	-108	-119	

V. Variant 0: AOV (algemene ouderdomspensioen)

“Niets Doen” actuariële fondsreserve ontwikkelingen

Parameters (all amounts in ANG)

Premiums

Min income / year	0
Max income / year	82,184
Increases with income increase parameter	

	Under Min	Over Min
% income ER	7.00%	7.00%
% income EE	6.00%	6.00%
% income retiree	0.00%	0.00%

Note: no premiums over max

Fixed amount	0
Annual increase	2.00%

AOV benefit

Benefit per month	818
1 time increase	0.00%
Annual increase	2.00%
Avg reduction	7.30%
Avg extra abroad	18.50%
Avg extra partner	1.00%
Retirement age	
	2011
	2014
	2015
	2016
	2017
	2018
	2019

Other

1 time increase inc distr	0.00%
Annual increase inc pp	2.60%
Interest on reserves	3.00%
Interest on deficits	5.00%
Start Year	2011
Start Reserve	302,257,017
Fiat Adm Cost / year	9,000,000
Annual increase	2.00%
Adm Cost as % Benefits	0.00%
Mortality: GBMV0005	
# monthly benefits / year	13

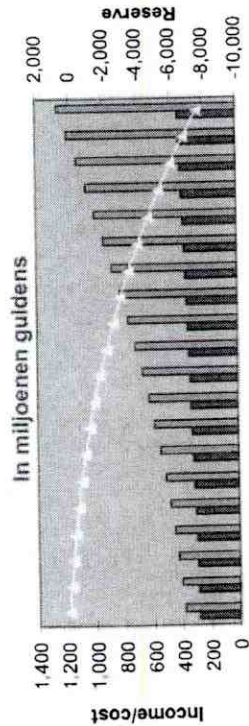
Extra parameters:

Leefstijd per 1-1-2012:	Pensioen vanaf:
60	60
59	60
58	60
57	60
56	60
55	60
54	60
53	60
52	60
51	60
50	60

Year	Extra benefit / month in that year excl index
2011	-
2012	-
2013	-
2014	-
2015	-
2016	-
2017	-
2018	-
2019	-
2020	-
2021	-
2022	-
2023	-
2024	-
2025	-
2026	-
2027	-
2028	-
2029	-
2030	-

Year	Extra premium ER/EE in that year
2011	0.00%
2012	0.00%
2013	0.00%
2014	0.00%
2015	0.00%
2016	0.00%
2017	0.00%
2018	0.00%
2019	0.00%
2020	0.00%
2021	0.00%
2022	0.00%
2023	0.00%
2024	0.00%
2025	0.00%
2026	0.00%
2027	0.00%
2028	0.00%
2029	0.00%
2030	0.00%

Reserve after 5 yrs in mln: -372
 Reserve after 10 yrs in mln: -1,693
 Reserve after 15 yrs in mln: -4,020
 Reserve after 20 yrs in mln: -7,640



Let op: % income retiree is pas va 2013
 Uitkeringen, premies en aantal uitkeringsgerechtigden zijn gesynchroniseerd met actuele SVB cijfers 2011 dimv correctiefactor:

vi. Variant 1: AOV (algemene ouderdomsvoorziening)

Kenmerken:

- Indexering geconditioneerd (indien economische groei);
- Pensioengerechtigde leeftijd naar 65 jaar per 1 januari 2014;
- Inkomens boven ANG 100.000,= betalen extra 1% premie;
- Werkgeverspremie verhoging 2%;
- Inkomensgrens naar ANG 100.000,=.

Effecten:

Eerste sheet: Actuariële Fondsonwikkelingen gebruikt tijdens de Nationale Dialoog d.d. 8 december 2012.

Tweede sheet: Actuariële Fondsonwikkelingen na nieuwe ronde van validatie- en consistentietoets op 13 december 2012.

Opmerkingen in het actuariële model kan de opsplitsing niet gemaakt worden, echter, de 1,5% en 0,5% totaal 2% is meegenomen in de modeffecten. Voorts reële economische groei gereduceerd tot 0%.

Parameters (all amounts in ANG)

Premiums

Min income / year	0
Max income / year	100,000
Increases with income increase parameter	

	Under Min	Over Min
% income ER	7.00%	7.00%
% income EE	6.00%	6.00%
% income retiree	0.00%	0.00%

Note: no premiums over max

Fixed amount	0
Annual increase	2.00%

AOV benefit

Benefit per month	818
1 time increase	0.00%
Annual increase	0.00%
Avg reduction	7.30%
Avg extra abroad	17.08%
Avg extra partner	1.00%
Retirement age	
	2011
	2014
	2015
	2016
	2017
	2018
	2019
	60
	60
	61
	62
	63
	64
	65

Other

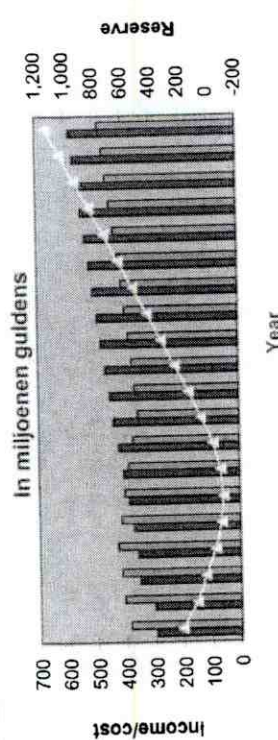
1 time increase inc distr	0.00%
Annual increase inc pp	2.60%
Interest on reserves	3.00%
Interest on deficits	5.00%
Start Year	2011
Start Reserve	302,257,017
Flat Adm Cost / year	9,000,000
Annual increase	2.00%
Adm Cost as % Benefits	0.60%
Mortality: GEMV0005	
# monthly benefits / year	13

Leeftijd per 1-1-2012:	Pensioen vanaf:
60	60
59	60
58	60
57	65
56	65
55	65
54	65
53	65
52	65
51	65
50	65

Extra parameters:

Year	Extra benefit / month in that year excl index	Extra premium ERVEE in that year
2011	10	0.00%
2012	26	0.00%
2013	16	2.00%
2014	16	2.00%
2015	16	2.00%
2016	16	2.00%
2017	16	2.00%
2018	16	2.00%
2019	16	2.00%
2020	16	2.00%
2021	16	2.00%
2022	16	2.00%
2023	16	2.00%
2024	16	2.00%
2025	16	2.00%
2026	16	2.00%
2027	16	2.00%
2028	16	2.00%
2029	16	2.00%
2030	16	2.00%

Reserve after 5 yrs in mln: -69
 Reserve after 10 yrs in mln: 154
 Reserve after 15 yrs in mln: 635
 Reserve after 20 yrs in mln: 1,135



Uitkeringen, premies en aantal uitkeringsgerechtigden zijn gesynchroniseerd met actuele SYB cijfers 2011 dmv correctiefactor:

Scenario besluit RvM jan 2012: loongrens 100K, leeftijd snel naar 65, geen verdere indexatie, premie omhoog

Premiums

Min income / year	0
Max income / year	100,000
Increases with income increase parameter	

	Under Min	Over Min
% income ER	7.00%	7.00%
% income EE	6.00%	6.00%
% income retiree	0.00%	0.00%
Note: no premiums over max		

Fixed amount	0
Annual increase	2.00%

AOV benefit

Benefit per month	818
1 time increase	0.00%
Annual increase	0.00%
Avg reduction	7.30%
Avg extra abroad	18.50%
Avg extra partner	1.00%
Retirement age	

2011	60
2014	60
2015	61
2016	62
2017	63
2018	64
2019	65

Other

1 time increase inc disir	0.00%
Annual increase inc pp	2.10%
Interest on reserves	3.00%
Interest on deficits	5.00%
Start Year	2011
Start Reserve	302,257,017
Flat Adm Cost / year	9,000,000
Annual increase	2.00%
Adm Cost as % Benefits	0.00%
Mortality: GBMV0005	
# monthly benefits / year	13

Leeftijd per 1-1-2012:

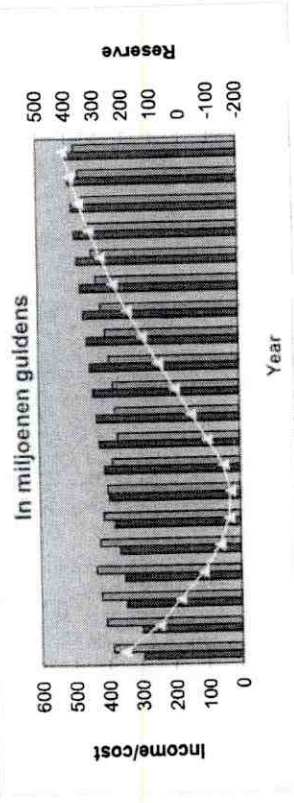
60	60
59	60
58	60
57	65
56	65
55	65
54	65
53	65
52	65
51	65
50	65

Extra parameters:

Year	Extra benefit / month in that year excl index
2011	-
2012	16
2013	16
2014	16
2015	16
2016	16
2017	16
2018	16
2019	16
2020	16
2021	16
2022	16
2023	16
2024	16
2025	16
2026	16
2027	16
2028	16
2029	16
2030	16

Year	Extra premium ER/EE in that year
2011	0.00%
2012	0.00%
2013	2.00%
2014	2.00%
2015	2.00%
2016	2.00%
2017	2.00%
2018	2.00%
2019	2.00%
2020	2.00%
2021	2.00%
2022	2.00%
2023	2.00%
2024	2.00%
2025	2.00%
2026	2.00%
2027	2.00%
2028	2.00%
2029	2.00%
2030	2.00%

Reserve end 2013 in mln: 16
Reserve end 2014 in mln: -67
Reserve end 2015 in mln: -126
Reserve end 2016 in mln: -159
Reserve end 2017 in mln: -165
Reserve end 2020 in mln: -31
Reserve end 2025 in mln: 238
Reserve end 2030 in mln: 409



Uitkeringen, premies en aantal uitkeringsgerechtigden zijn gesynchroniseerd met actuele SVB cijfers 2011 dimv correctiefactor: 1.23
 Tevens is reserve end 2012 gesynchroniseerd met prognose & realisatie (90 mln)

viii. Variant 2: AOV (de gekozen variant !!)

Algemene Ouderdomsvoorziening (AOV):

Kenmerken:

1. Loongrens verhogen naar ANG 100.000,= per 1 januari 2013.
2. Indexering ingaande 2013 dient 0% te zijn.
3. Pensioengerechtigde leeftijd verhogen naar 65 jaar per 1 januari 2014 (wie 60 wordt in het jaar 2013 gaat met pensioen op z'n 60^{ste} en per 1 januari 2014 gaat een ieder pas op z'n 65^{ste} met pensioen).
4. Werkgeverspremie verhoogd met een extra 1,5%.
5. Werknemerspremie verhoogd met een extra 0,5%.
6. Bonus (13^{de} maand) die december 2013 zou worden uitbetaald wordt afgeschaft.
7. De AOV wordt ANG 787 per maand, dat wil zeggen er wordt een aftrek van ANG 47 toegepast op het maandbedrag, terwijl de sociaal en economisch meest kwetsbare groep buiten de AOV om via het DWI-SOAW stelsel wordt gecompenseerd.

Effecten:

Eerste sheet: Actuariële Fondsonwikkelingen gebruikt tijdens de Nationale Dialoog d.d. 8 december 2012.

Tweede sheet: Actuariële Fondsonwikkelingen na nieuwe ronde van validatie- en consistentietoets op 13 december 2012.

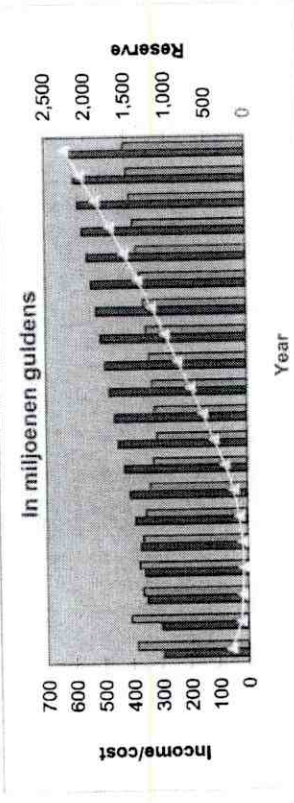
N.B.: Opmerkingen in het actuariële model kan de opsplitsing niet gemaakt worden, echter, de 1,5% en 0,5% totaal 2% is meegenomen in de modeffecten. Voorts reële economische groei gereduceerd tot 0%.

Scenario 4a: loongrens 100K, leeftijd snel naar 65, geen verdere indexatie, uitkeringen omlaag en premie omhoog

Premiums		AOV benefit		Other		Leefijd per Pensioen		Extra benefit / month in		Extra premium	
Min income / year	0	Benefit per month	818	1 time increase inc distr	0.00%	1-1-2012:	vanaf:	Year	that year excl index	Year	ER/EE in that year
Max income / year	100,000	1 time increase	0.00%	Annual increase inc pp	2.60%	60	60	2011	-	2011	0.00%
Increases with income increase parameter		Annual increase	0.00%	Interest on reserves	3.00%	59	60	2012	16	2012	0.00%
		Avg reduction	7.30%	Interest on deficits	5.00%	58	60	2013	(95)	2013	2.00%
		Avg extra abroad	18.50%	Start Year	2011	57	65	2014	(95)	2014	2.00%
		Avg extra partner	1.00%	Start Reserve	302,257,017	56	65	2015	(95)	2015	2.00%
% Income ER	7.00%	Retirement age		Flat Adm Cost / year	9,000,000	55	65	2016	(95)	2016	2.00%
% Income EE	6.00%	2011	60	Annual increase	2.00%	54	65	2017	(95)	2017	2.00%
% Income retiree	0.00%	2014	60	Adm Cost as % Benefits	0.00%	53	65	2018	(95)	2018	2.00%
Note: no premiums over max		2015	61	Mortality: GBMY0005		52	65	2019	(95)	2019	2.00%
Fixed amount	0	2016	62	# monthly benefits / year	13	51	65	2020	(95)	2020	2.00%
Annual increase	2.00%	2017	63			50	65	2021	(95)	2021	2.00%
		2018	64					2022	(95)	2022	2.00%
		2019	65					2023	(95)	2023	2.00%
								2024	(95)	2024	2.00%
								2025	(95)	2025	2.00%
								2026	(95)	2026	2.00%
								2027	(95)	2027	2.00%
								2028	(95)	2028	2.00%
								2029	(95)	2029	2.00%
								2030	(95)	2030	2.00%

Reserve end 2013 in mln: 76
 Reserve end 2014 in mln: 57
 Reserve end 2015 in mln: 67
 Reserve end 2016 in mln: 106
 Reserve end 2017 in mln: 176
 Reserve end 2020 in mln: 554
 Reserve end 2025 in mln: 1,349
 Reserve end 2030 in mln: 2,251

Uitkeringen, premies en aantal uitkeringsgerechtigden zijn gesynchroniseerd met actuele SVB cijfers 2011 dimv correctiefactor: 1.23
 Tevens is reserve end 2012 gesynchroniseerd met prognose & realisatie (90 mln)

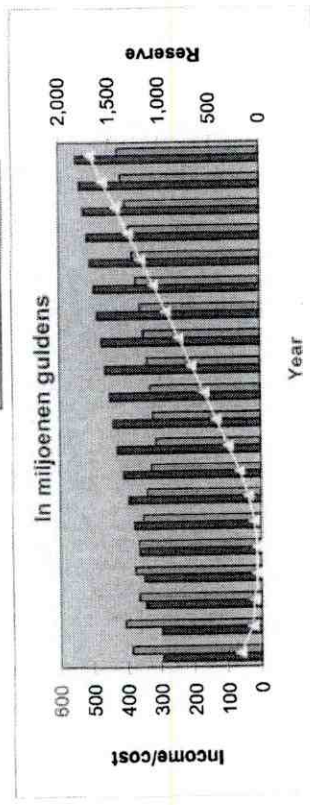


Scenario 4a: loongrens 100K, leeftijd snel naar 65, geen verdere indexatie, uitkeringen omlaag en premie omhoog

Premiums		AOV benefit		Other		Leeftijd per 1-1-2012:		Pensioen vanaf:		Extra benefit / month in that year excl index		Extra premium ER/EE in that year	
Min income / year	0	Benefit per month	818	1 time increase inc distr	0.00%	1-1-2012:	60	vanaf:	2011	2011	2011	0.00%	
Max income / year	100,000	1 time increase	0.00%	Annual increase inc pp	2.10%		60		2012	2012	2012	0.00%	
Increases with income increase parameter		Annual increase	0.00%	Intrest on reserves	3.00%		59		2013	2013	2013	2.00%	
		Avg reduction	7.30%	Intrest on deficits	5.00%		60		2014	2014	2014	2.00%	
		Avg extra abroad	18.50%	Start Year	2011		57		2015	2015	2015	2.00%	
		Avg extra partner	1.00%	Start Reserve	302,257,017		65		2016	2016	2016	2.00%	
		Retirement age		Fiat Adm Cost / year	9,000,000		65		2017	2017	2017	2.00%	
				Annual increase	2.00%		54		2018	2018	2018	2.00%	
				Adm Cost as % Benefits	0.00%		53		2019	2019	2019	2.00%	
				Mortality: GBMV0005			52		2020	2020	2020	2.00%	
				# monthly benefits / year	13		51		2021	2021	2021	2.00%	
							50		2022	2022	2022	2.00%	
									2023	2023	2023	2.00%	
									2024	2024	2024	2.00%	
									2025	2025	2025	2.00%	
									2026	2026	2026	2.00%	
									2027	2027	2027	2.00%	
									2028	2028	2028	2.00%	
									2029	2029	2029	2.00%	
									2030	2030	2030	2.00%	

Reserve end 2013 in mln: 71
Reserve end 2014 in mln: 45
Reserve end 2015 in mln: 45
Reserve end 2016 in mln: 72
Reserve end 2017 in mln: 128
Reserve end 2020 in mln: 443
Reserve end 2025 in mln: 1,064
Reserve end 2030 in mln: 1,683

Uitkeringen, premies en aantal uitkeringsgerechtigden zijn gesynchroniseerd met actuele SVB cijfers 2011 dmv correctiefactor:
 Tevens is reserve end 2012 gesynchroniseerd met prognose & realisatie (90 mln)



x. Macro economische effecten van drie scenario's: 2013 - 2014

N.B.: De interpretatie van de macro economische effecten dient voorbehouden te zijn aan de deskundigen (m.n. MEO en KvK) die hiermee bezig zijn geweest ter voorkoming van misverstanden.

Scenario A

Old Age pension (AOV)

- Increase income limit AOV from Naf 93.000 to Naf 100.000
- Additional 1% employee's premium above Naf 100.000
- Increase retirement age (old age pension) from 60 to 65
- Increase premium Old age pension employers from 7% to 9%

Combined with General Healthcare Insurance (Scenario A)

- General healthcare insurance
 - ER: 9%
 - EE: 3% (excl. income < 12.000)
- Premium income limit 100.000
- Nominal premium Naf 82

Scenario B

Old Age Pension (AOV)

- Increase income limit AOV from Naf 93.000 to Naf 100.000
- Increase retirement age (old age pension) from 60 to 65
- Increase employer's premium 1.5%
- Increase employee's premium 0.5%
- Revoke Christmas bonus
- Reduce AOV with Naf 50 monthly

Combined with General Healthcare Insurance (Scenario A)

- General healthcare insurance
 - ER: 9%
 - EE: 3% (excl. income < 12.000)
- Premium income limit 100.000
- Nominal premium Naf 82

Scenario C

Old Age Pension (AOV)

- Increase income limit AOV from NAF 93.000 to NAF 100.000
- Increase retirement age (old age pension) from 60 to 65
- 30% reduction AOV benefit
- *Compensation for the most vulnerable income earners (not yet included: SOAW)*
- *In due course of time shift to capital based pension system*

Combined with General Healthcare Insurance (Scenario A)

- General healthcare insurance
 - ER: 9%
 - EE: 3% (excl. income < 12.000)
- Premium income limit 100.000
- Nominal premium NAF 82

Preliminary Macro Economic Effect 2013 - 2014

Changes compared to previous year	Scenario A 2013	Scenario A 2014	Scenario B 2013	Scenario B 2014	Scenario C 2013	Scenario C 2014
Prices (in %)						
Consumption price	1.3	0.3	1.0	0.2	0.3	0.0
Volume (in %)						
Real GDP	-2.3	-0.3	-2.8	-0.4	-2.3	-0.3
Number (*1000)						
Employment	-0.9	-0.5	-1.2	-0.5	-1.1	-0.3
Unemployment	0.5	0.2	0.6	0.2	0.5	0.2
Value (in mln Naf)						
Government budget	19.8	-9.6	62.9	43.1	81.1	76.1
Foreign reserves	21.6	17.5	83.4	108.6	111.8	154.1

Zoals te zien valt uit het schema geven alle scenario's vanwege de collectieve lastenverzwaring een negatief effect op de reële BBP groei, de arbeidsplaatsen alsook de werkloosheid. Scenario B, de keuze van de overgrote meerderheid van de Nationale Dialoog deelnemers leidt ook tot een verbetering van het saldo van de overheidsbegroting, van de deviezenreserves en de AOV fondsreserves!

xi. **Koopkrachteffecten op personen/huishoudens**

N.B.: De interpretatie van de macro economische effecten dient voorbehouden te zijn aan de deskundigen (m.n. MEO en KvK) die hiermee bezig zijn geweest ter voorkoming van **misverstanden**.

SCENARIO A

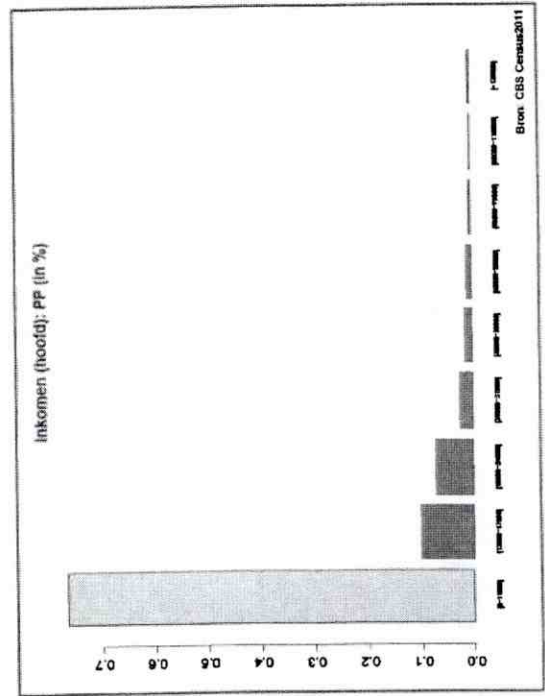
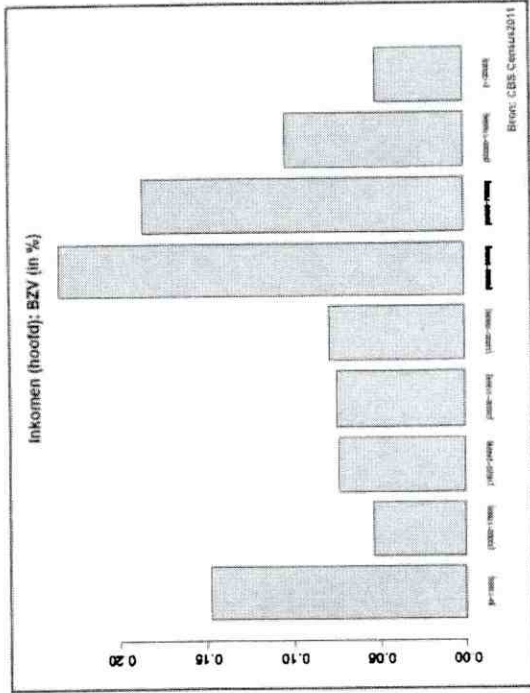
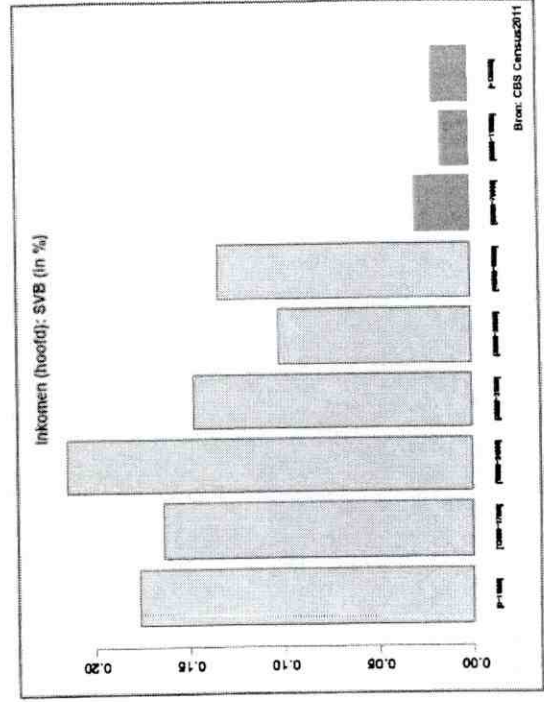
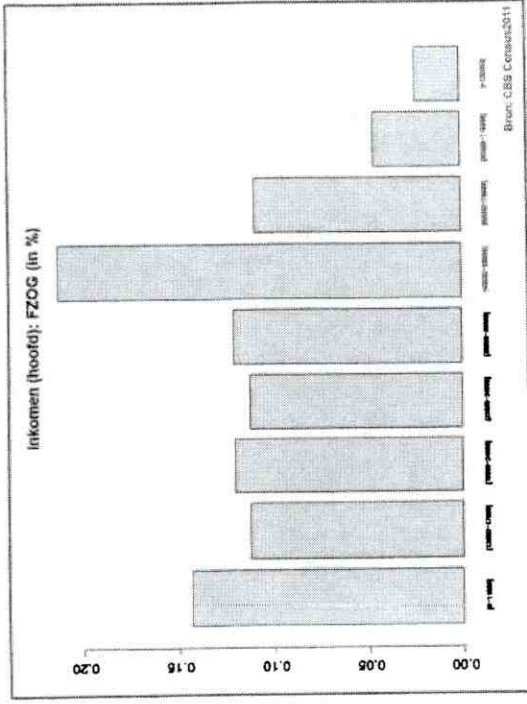
	0.5	1	1.5	2	3	5	7
Minimum wage-factor							
Gross personal income	ANG 7,987	ANG 15,974	ANG 23,962	ANG 31,949	ANG 47,923	ANG 79,872	ANG 111,821
Employee	0.0%	-3.7%	-1.4%	-1.3%	-1.3%	nvt	nvt
Civil servant	1.9%	-1.8%	-0.6%	-0.9%	-0.1%	-0.4%	-0.5%
Retired, fzog	0.0%	-10.6%	-2.1%	-1.3%	-0.8%	-0.5%	0.6%
Retired, svb/prive	0.0%	-10.6%	0.1%	0.1%	0.2%	-2.1%	-2.9%

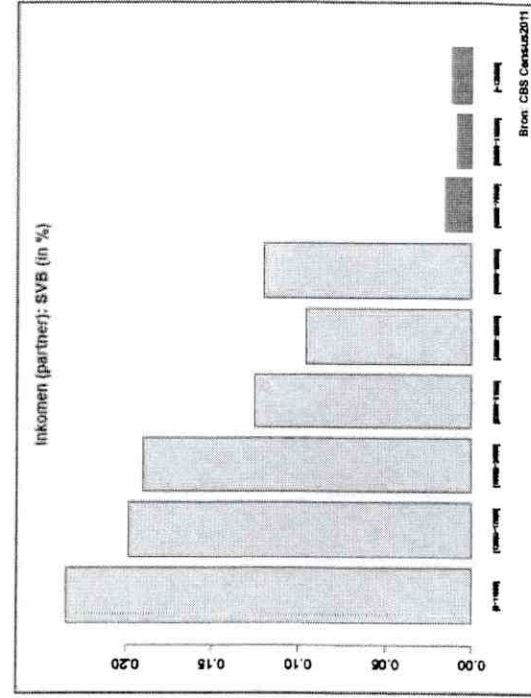
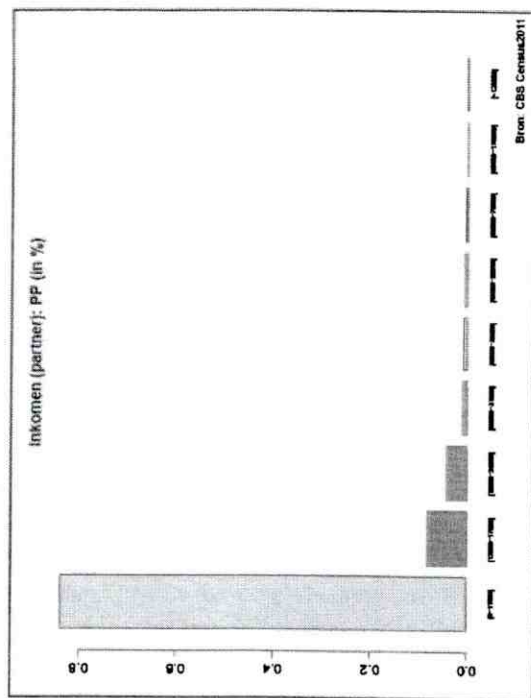
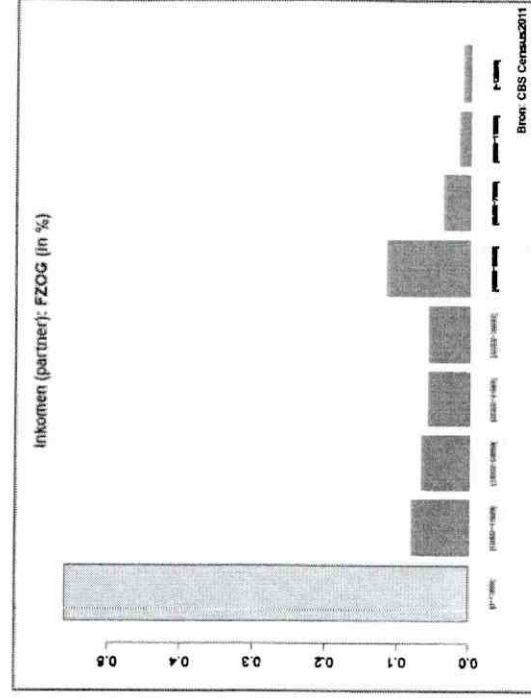
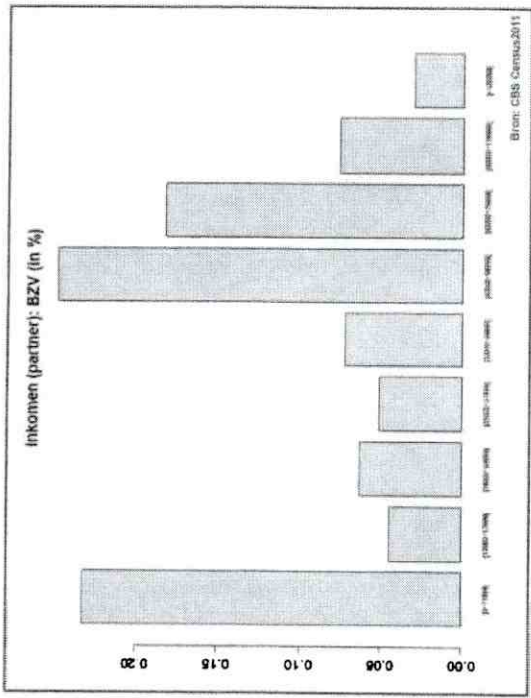
SCENARIO B

	0.5	1	1.5	2	3	5	7
Minimum wage-factor							
Gross personal income	ANG 7,987	ANG 15,974	ANG 23,962	ANG 31,949	ANG 47,923	ANG 79,872	ANG 111,821
Employee	-0.1%	-4.1%	-1.9%	-1.8%	-1.8%	nvt	nvt
Civil servant	1.8%	-2.3%	-1.1%	-1.4%	-0.5%	-0.9%	-0.9%
Retired, fzog	-16.3%	-18.1%	-7.5%	-4.7%	-3.0%	-1.9%	-0.5%
Retired, svb/prive	-16.3%	-18.1%	-5.5%	-3.4%	-2.0%	-3.4%	-3.9%

[a] A compensation scheme will be proposed for low income households with aov-income

[b] A scheme will be proposed to compensate low income households for nominal premium





No.W12.13.0306/III/K

's-Gravenhage, 25 september 2013

Bij Kabinetsmissive van 9 september 2013, no.13.001803, heeft Uwe Majesteit, op voordracht van de Minister van Buitenlandse Zaken, mede namens de Minister van Sociale Zaken en Werkgelegenheid en de Minister van Binnenlandse Zaken en Koninkrijksrelaties, bij de Afdeling advisering van de Raad van State van het Koninkrijk ter overweging aanhangig gemaakt het voorstel van rijkswet tot goedkeuring van het voornemen tot intrekking van het voorbehoud bij artikel 8, eerste lid, onderdeel d, van het op 16 december 1966 te New York tot stand gekomen Internationaal Verdrag inzake economische, sociale en culturele rechten (Trb. 1969, 100) en van het voornemen tot intrekking van het voorbehoud bij artikel 6, vierde lid, van het op 18 oktober 1961 te Turijn tot stand gekomen Europees Sociaal Handvest (Trb. 1962, 3 en Trb. 1963, 90), met memorie van toelichting.

Het voorstel van rijkswet geeft de Afdeling advisering van de Raad van State van het Koninkrijk geen aanleiding tot het maken van inhoudelijke opmerkingen.

De Afdeling verwijst naar de bij dit advies behorende redactionele bijlage.

De Afdeling geeft U in overweging het voorstel van rijkswet te zenden aan de Tweede Kamer der Staten-Generaal, aan de Staten van Aruba, aan die van Curaçao en aan die van Sint Maarten.

Gelet op artikel 26, zesde lid jo vijfde lid, van de Wet op de Raad van State, is de Afdeling van oordeel dat openbaarmaking van dit advies achterwege kan blijven.

De vice-president van de Raad van State van het Koninkrijk,

Redactionele bijlage bij het advies van de Afdeling advisering van de Raad van State van het Koninkrijk betreffende no.W12.13.0306/III

- Artikel I als volgt redigeren: Voor Aruba, Curaçao, Sint Maarten en de openbare lichamen Bonaire, Sint Eustatius en Saba wordt goedgekeurd dat het voorbehoud, bedoeld in artikel 8, eerste lid, onderdeel d, van het op 19 december 1966 te New York tot stand gekomen Internationaal Verdrag inzake economische, sociale en culturele rechten (Trb. 1969, 100), dat bij de bekrachtiging van dat verdrag is gemaakt overeenkomstig artikel 5 van de Rijkswet van 24 november 1978, houdende goedkeuring van dat Verdrag (*Stb.* 1978, 624), wordt ingetrokken.
- Artikel II als volgt redigeren: Voor Aruba, Curaçao, Sint Maarten en de openbare lichamen Bonaire, Sint Eustatius en Saba wordt goedgekeurd dat het voorbehoud, gemaakt bij artikel 6, vierde lid, van het op 18 oktober 1961 te Turijn tot stand gekomen Europees Sociaal Handvest (Trb. 1962, 3 en Trb. 1963, 90), dat bij de bekrachtiging van dat verdrag is gemaakt overeenkomstig artikel 3 van de Rijkswet van 2 november 1978, houdende de goedkeuring van dat Verdrag (*Stb.* 1978, 639), wordt ingetrokken.