



Parliament of Sint Maarten

TERMS OF REFERENCE

RESEARCH COORDINATOR

Parliamentary Inquiry Mullet Bay

1. SUMMARY

The Parliament of Sint Maarten, in November 2019, decided that there will be a Parliamentary Inquiry into the Mullet Bay area. For this reason, the Parliament is currently looking for a Research Coordinator. The role of the Research Coordinator is to ensure the successful and timely completion of the parliamentary inquiry entitled "Giving Mullet Bay Back to the People." The staff of the Committee will consist of a Secretary General, the research coordinator, an executive secretary, legal advisory in civil and administrative law, economic advisory, and a communications officer. The Research Coordinator reports directly to the Secretary General of the Parliamentary Inquiry Committee. The duration of the contract is eight months, starting on January 1, 2021, and should not exceed August 31, 2021.

2. INTRODUCTION

According to archival documents, Mullet Bay is located in the Lowlands area, at the time of its first recorded notarial transfer in 1957, it was referred to as "the area of land surrounding the Mullet Pond and Mullet Pond Bay" (now known as Mullet Bay Beach). The land was first transferred on November 16, 1957 for 10,000 NAF. Little development was seen on the property until 1969, when plans for a 600-room resort were revealed and construction started. On July 1, 1971, upon completion of construction of the resort, extracts from the cadastral office show that the property was transferred to Sun Resorts LTD, which has since retained ownership of the property. Reportedly, eight years later, the property had grown by almost 50% in size, from 600 rooms to around 700 to 820 rooms by 1979, making the resort the largest resort and the largest single private sector employer in the history of St. Maarten.

In 1995, hurricane Luis struck the island, almost completely destroying the resort. From accounts by employees, the release of employees, with the exception of some staff who continued working for the Golf Course and the Towers hotel, took place gradually in the subsequent years.

Over the years, a string of legal disputes involving property owners and Government ensued, and the resort never reopened. Other disputes over ownership of the coast and the Mullet Pond also followed. The matter was compounded when residents holding Government-issued licenses were prohibited by resort staff from operating on the beach or parking in the area.

Not only is the land important as a heritage and recreational site, but it is also prime real estate property, measuring 667,000 square meters. The beach is one of the most popular on the island, among both residents and tourists, and was ranked number one on the island by Tripadvisor. Moreover, the area is considered one of the last intact mangrove eco-system on the island.

Based on the above, the Parliament of St. Maarten decided to conduct a parliamentary inquiry into the ownership of the Mullet Bay area, the current volatile situation that exists between its current owner, government and citizens, and the need for Parliament and Government to intervene in every feasible way possible to protect one of its most precious and coastal and inland waterways in the national interest of the country.

3. OBJECTIVE

The inquiry will have the following four research objectives:

- Legislative shortcomings allowing for this problem to exist, and the effects of

jurisprudence that may have resulted through litigation, particularly in regard to the ownership of conflict zones such as the beach and the pond, and how these shortcomings should be addressed (new legislation, amended legislation, budgetary amendments, instructions to government by means of an amendment in the governing program).

- What actions government can and should take to ensure the property is used in the best interest of the people of the country, being proactive ahead of potential irrevocable actions, such as auctions and/or settlements by the central bank, which may or may not be in the best interest of Sint Maarten.
- Finding a fully sustainable, environmentally friendly solution to the development of Mullet Bay, and continued protection of its natural resources – zoning, expropriation, assigning monument status.
- The lack of economic activity for the area over 22+ years and what this has cost the country, and what economic benefits could be derived from the country if it were developed in a sustainable manner.

4. CONSULTANT PROFILE

The consultant must meet the following minimum requirements:

- Hold at least a Master's degree in a related field e.g. law, economics, finance
- Have experience in project management/ coordination
- Have at least 5 years' experience in research and data-gathering and processing
- Exhibit strong analytical, technical, and writing skills
- Have ability to read and communicate in Dutch
- Demonstrate excellent verbal and written communication skills
- Be familiar with the Mullet Bay area and island culture
- Be able to work well with a team

5. DELIVERABLES

- Research (interviews, visits, document perusal)
- Data collection terms of reference
- Timely reports to the Inquiry Committee
- Preparation of final report addressing questions of the Parliamentary inquiry proposal

6. TERMS OF THE CONTRACT

The consultant will be recruited for the duration of the inquiry, eight months, on a part-time (20 hours per week) basis, starting on January 1, 2021. If for unforeseen reasons (i.e. forces of nature, etc.), the work cannot be completed within eight months, Parliament may extend the contract.

The consultant will be paid NAFI. 8,500.00 monthly, commensurate with local and international standards and based on the expertise of the consultant. The consultant will use their personal cell phone and laptop throughout the inquiry, and all payments and reimbursements will be based on submitted deliverables from the consultant.

7. CONTACT INFORMATION

Proposals and cover letter can be sent along with relevant documents digitally to Mrs. Ann Groen-Gumbs at ann.groen-gumbs@sxmparliament.org before December 11, 2020.