

St. Maarten ordered to finalise Dump Fire Suppression Plan by May 1, 2020 (/islands/89471-st-maarten-ordered-to-finalise-dump-fire-suppression-plan-by-may-1-2020)

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PHILIPSBURG--The Judge in the Court of First Instance ordered Country to St. Maarten to finalise the Fire Suppression Plan at the landfill dumpsite by May 1, 2020, at the latest. In case of non-compliance government will have to pay daily penalties of NAf. 10,000, with a maximum of NAf. 10 million, the Judge stated Friday. Upon the orders of the Court the penalties that may be forfeited will be for the benefit of Nature Foundation St. Maarten.

The Court decision in the injunction comes almost one year after St. Maarten residents Barbara Cannegieter and Camiel Koster, and law firm Bergman Zwanikken Snow Essed (BZSE) filed an injunction against Country St. Maarten, the Ministry of Public Housing, Spatial Planning, Environment and Infrastructure VROMI, and former landfill management company Robelto and Son B.V.

In the injunction, which was later joined by the Prosecutor's Office, plaintiffs requested that the Court order government and the former garbage dump operator to take effective measures to prevent the emission of smoke, gases and stench at the landfill, and to conduct measurements of the toxic fumes and make these public.

In case of non-compliance, the Judge was requested to attach to the verdict daily penalties of US \$5,000, with a maximum of \$1 million.

The Court rejected the claim against Robelto and Son, because during these court procedures government took dump management in its own hands. Therefore, Robelto could no longer be held liable in this case, the Judge stated in the verdict.

Cannegieter was pleased with the Court decision but said that in her opinion the May 1, 2020, deadline was too long. "But at least the decision keeps the pressure on to compel the government to do something. We did the best we could do. Thanks to Camiel Koster and Jelmer Snow and BZSE Law Firm for being co-plaintiffs, and guiding the way," Cannegieter said in a Facebook comment.