



Seru Grandi #80  
Kralendijk  
Bonaire, C.N.

## Advocaat

mr. M. Bijkerk

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Golden Meand Society  
Foundation supporting  
International Court Cases



To the Petitions and Urgent Actions Section of the  
Office of the United Nations High Commissioner for Human Rights,  
Mrs. Michelle Bachelet,  
Palais des Nations  
CH-1211 Genève  
Switzerland

Bonaire, 10 June 2020

Dear High Commissioner Mrs. Bachelet,

Re: Request to expedite decisions in two CCPR Communications to the U.N. Committee for Human Rights, viz. CCPR Communication no. 3077/2017 between W.S. Johnson vs. the Netherlands and CCPR Communication no. 3236/2018 between S.E. Hansen vs. the Netherlands

Please find attached the latest messages received from the Petitions and Urgent Actions Section, exs 1 and 2. Please note further that Communication no. 3077/2017 was first submitted to the Committee on 25 July 2015 (ex 3) and Communication no. 3236/2018 was first submitted on 6 February 2018 (ex 4).

The decisions in both cases will be of the utmost importance not only for the individual complainants themselves, but also for the entire population of all 6 islands of the former Netherlands Antilles, i.e. the Caribbean islands of Aruba, Bonaire, Curaçao, St. Maarten, Saba and St. Eustatius (aggregate population size approx. 350.000). This is due to the fact that both cases are about important human rights issues of *principle*, which, once decided, will serve as precedents impacting the future relationship between these islands and the Netherlands.

The case no. 3077/2017 is about the principle of non-discrimination with respect to basic human rights between the citizens of a former colony and the citizens of the former colonial motherland, *after* the former colony has opted to become an integral part of the former colonial motherland.

The case no. 3236/2018 is about art. 12 CCPR, the right to liberty of movement and freedom to choose his residence within the whole Kingdom of the Netherlands and/or amongst the various islands of the former Netherlands Antilles. Stated differently: Does art. 12 CCPR allow internal borders within the Kingdom of the Netherlands and/or amongst the 6 islands themselves?

Now, obviously, these cases are important for the population of the Netherlands as well (population size approx. 17 million). Rights and responsibilities are always mutual. The decisions in these cases are therefore important for both the Netherlands (the former colonial motherland) and aforementioned 6 islands (the former Dutch colony).

CRIB no. 378419535

Golden Meand Society (GMS)  
Foundation  
MCB (Bonaire) 41158201

INGbank (Nederland): 2479693 (Euro) t.n.v. M. Bijkerk  
MCB (Bonaire): 101217-07 (US\$) t.n.v. Adv. Bijkerk  
DERDEGELDENREKENING bij MCB Bonaire  
t.n.v. Bijkerk Surety N.V. h.o.d.n.  
Derden-gelden GMS N.V. (US\$) no. 41182207



*Justitia  
derogat legi*

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Due to the Coronavirus-crisis and other reasons, it is to be expected that some or all of aforementioned islands will soon again engage in discussions and possible negotiations with the Netherlands with respect to their future constitutional relationship with each other. Clarity on the outstanding issues addressed in above-mentioned cases, is therefore now urgent, for both sides should know where, from a human rights point of view, they stand. The Committee can give this clarity by deciding as soon as possible.

For this reason we request you politely to do what is in your power to expedite the decision-making process in these two cases.

We thank you in advance for your efforts.

Yours sincerely,  
M. Bijkerk, attorney-at-law  
counsel for both complainants.



**Michiel Bijkerk**

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**From:** Petitions OHCHR <petitions@ohchr.org>  
**Sent:** Friday, January 31, 2020 10:29 AM  
**To:** Michiel Bijkerk  
**Subject:** RE: CCPR Communication No. 3077/2017 W.S. Johnson v. the Netherlands - further observations

①

Dear Counsel,

Following our previous communications, I hereby inform that the case is ready for decision and it will be placed in the Committee's agenda in any of its upcoming sessions. Please take note that the Committee has an important backlog in dealing with cases, so this may take some time and we cannot provide any specific date at the moment.

Kind regards,

Petitions and Urgent Actions Section (Section des requêtes et des actions urgentes) Office of the United Nations High Commissioner for Human Rights Palais des Nations  
CH-1211 Genève 10  
Switzerland  
Fax: +41 22 9179022

-----Original Message-----

**From:** Michiel Bijkerk <abogado.bijkerk@gmail.com>  
**Sent:** 09 December 2019 22:28  
**To:** Petitions OHCHR <petitions@ohchr.org>  
**Subject:** FW: CCPR Communication No. 3077/2017 W.S. Johnson v. the Netherlands - further observations

Dear Sir/Madam,

We have not yet received an answer to our e-mail of 27 November 2019.  
Please see below.

We would appreciate very much to hear from you.  
Thank you for your response.

Yours sincerely,  
M. Bijkerk LL.M.,  
counsel for Mr. W. Johnson

-----Original Message-----

**From:** Michiel Bijkerk [mailto:abogado.bijkerk@gmail.com]  
**Sent:** Wednesday, November 27, 2019 1:05 PM  
**To:** 'Petitions OHCHR' <petitions@ohchr.org>  
**Cc:** 'Will Johnson' <chinneybunk@outlook.com>  
**Subject:** RE: CCPR Communication No. 3077/2017 W.S. Johnson v. the Netherlands - further observations

Dear Sir/Madam,

Please forgive us for asking once again to inform us on the Communication referred to in your e-mail of date May 28, 2019 (see below).

**Michiel Bijkerk**

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**From:** Petitions OHCHR <petitions@ohchr.org>  
**Sent:** Monday, September 23, 2019 3:20 PM  
**To:** abogado.bijkerk@gmail.com  
**Subject:** Fw: CCPR Communication No. 3236/2018 S.E. Hansen v. the Kingdom of the Netherlands - further observations  
**Attachments:** 3236-2018 S.E. Hansen - further observations.pdf

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Dear Mr. Bijkerk:

The Secretariat of the United Nations (Office of the High Commissioner for Human Rights) hereby transmits to you, for information only, the State party's further observations dated 23 September 2019 concerning communication No. 3236/2018, which you submitted to the Human Rights Committee for consideration under the Optional Protocol to the International Covenant on Civil and Political Rights, on behalf of Sherrel Eldgel Hansen.

The case is considered ready for a decision by the Committee, though its examination has not been scheduled yet. We kindly inform that the Committee has a sizable backlog of pending communications to examine.

Petitions and Urgent Actions Section (Section des requêtes et des actions urgentes) Office of the United Nations High Commissioner for Human Rights Palais des Nations  
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REFERENCE: G/SO 215/51 NLD (125)  
CE/VL/mg 3077/2017

## HUMAN RIGHTS COMMITTEE

### PROCEDURE OF INDIVIDUAL COMMUNICATIONS UNDER THE OPTIONAL PROTOCOL

15 December 2017

Dear Mr. Bijkerk,

We have the honour to inform you that your communication dated 25 July 2015, which you submitted to the Human Rights Committee for consideration under the Optional Protocol to the International Covenant on Civil and Political Rights on behalf of Mr. William Stanley Johnson, has been registered as communication No. 3077/2017. You are kindly asked to refer to this registration number in any future correspondence. You are also invited to address such future correspondence to the Petitions and Inquiries Section of the Human Rights Treaty Bodies Branch of the Office of the High Commissioner for Human Rights, [petitions@ohchr.org](mailto:petitions@ohchr.org).

#### Registration of the Case

In accordance with rule 97 of the Committee's rules of procedure, a copy of the communication has been sent to the State party today, with the request that any information or observation in respect of the question of admissibility and merits of the communication reach the Committee within six months. Any reply from the State party will be communicated to you in due course to enable you to comment thereon, if you so wish.

#### Remedies

You are also kindly requested to indicate, in future correspondence, the kind of remedies you would like to obtain from the State party in case the Committee concludes that a violation of the Covenant has taken place in the case you have submitted, unless you have already indicated these remedies in your initial submission.

#### Confidentiality

Please be aware that final decisions adopted by the Human Rights Committee are made public. Therefore, if you wish the author's identity not to be disclosed in the final decision, you are kindly requested to indicate so as soon as possible. Kindly note that, due to the level of publicity the Committee's decisions usually receive (including dissemination via Internet, which thus makes the correction and/or deletion of data circulating online virtually impossible), it may not be possible to satisfy requests for anonymity submitted after the publication of the Committee's decision. The Committee shall not be responsible to the author in any manner for



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any inconvenience, arising out of failure to notify the Committee in a timely manner about such requests.

For information, please find herewith a copy of the Committee's rules of procedure.

Yours sincerely,

Sarah H. CLEVELAND

Olivier de FROUVILLE

Human Rights Committee Special Rapporteurs  
on new communications and interim measures

Mr. Michiel Bijkerk  
Seru Grandi n°80  
Bonaire, Caribbean Netherlands





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REFERENCE: G/SO 215/51 NLD (128)  
MIT/ABA/mg 3236/2018

HUMAN RIGHTS COMMITTEE  
PROCEDURE OF INDIVIDUAL COMMUNICATIONS UNDER THE OPTIONAL PROTOCOL

8 October 2018

Dear Mr. Bijkerk,

We have the honour to inform you that your communication dated 6 February 2018, which you submitted to the Human Rights Committee for consideration under the Optional Protocol to the International Covenant on Civil and Political Rights on behalf of Mr. Sherrel Eldgel Hansen has been registered as communication No. 3236/2018. You are kindly asked to refer to this registration number in any future correspondence. You are also invited to address such future correspondence to the Petitions and Inquiries Section of the Human Rights Treaty Bodies Branch of the Office of the High Commissioner for Human Rights, [petitions@ohchr.org](mailto:petitions@ohchr.org).

**Registration of the Case**

In accordance with rule 97 of the Committee's rules of procedure, a copy of the communication has been sent to the State party today, with the request that any information or observation in respect of the question of admissibility and merits of the communication reach the Committee within six months. Any reply from the State party will be communicated to you in due course to enable you to comment thereon, if you so wish.

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For information, please find herewith a copy of the Committee's rules of procedure.

Yours sincerely,

Sarah H. CLEVELAND

Olivier de FROUVILLE

Human Rights Committee Special  
Rapporteurs on new communications and  
interim measures

Mr. Michiel Bijkerk  
Email: [abogado.bijkerk@gmail.com](mailto:abogado.bijkerk@gmail.com)