

Aruba, country narrative in the 2012 TIP Report

Aruba (Tier 2)

Aruba is primarily a destination country for women and men subjected to sex trafficking and forced labor. Those at greatest risk of trafficking are foreign women in Aruba's commercial sex trade and foreign men and women in the service and construction industries. Also at risk are Chinese men and women working in supermarkets, Indian men in the jewelry sector, and Caribbean and South American women in domestic service. There are indications of Aruban children under 18 exploited in prostitution in Aruba.

The Government of Aruba does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government identified new labor trafficking victims, formalized a victim identification checklist for officials, and expanded extensive public awareness efforts during the reporting period. However, it has not yet successfully prosecuted a trafficking offender.

Recommendations for Aruba: Increase efforts to prosecute, convict, and punish perpetrators of forced labor and sex trafficking; boost efforts to identify victims of sex trafficking; consider providing the anti-trafficking committee with an independent budget as a means to ensure its effectiveness; continue multilingual public awareness efforts; and develop ways to educate clients of the sex trade about the causes and consequences of trafficking.

Prosecution

The Government of Aruba maintained its anti-trafficking law enforcement efforts during the reporting period. Aruba prohibits all forms of trafficking in persons through articles 203a and 286a of its criminal code, which prescribe penalties ranging from four to 15 years' imprisonment. These penalties are sufficiently stringent and are commensurate with those for other serious crimes, such as rape. The government initiated six new labor trafficking investigations during the reporting period, compared with seven investigations in the previous reporting period. There were no new prosecutions, and the three prosecutions from the previous reporting period remained ongoing. One defendant remained in detention in 2011. There were no investigations or prosecutions of officials complicit in human trafficking. The government reported that adequate funding and staffing for police remained a problem. The government provided a venue and staff time for a human trafficking seminar for police, justice, health, immigration, children's services, and victim assistance and women's affairs personnel. The seminar was funded by a foreign donor, as were most other anti-trafficking efforts. Aruba incorporated human trafficking awareness into the police academy curriculum during the reporting period.

Protection

The Government of Aruba continued to make progress in its victim protection efforts during the reporting period. The government identified three new adult victims of labor trafficking. Aruba's anti-trafficking task force provided law enforcement and social services officials with a checklist of the 10 most common signs of human trafficking and requested any possible cases to be reported to the national coordinator. During the reporting period, the government earmarked funds to assist trafficking victims and to fund projects of the interagency trafficking committee. The government had agreements with local NGOs or private sector accommodation for sheltering adult victims. The government provided legal assistance, medical assistance, and social and psychological assistance for identified trafficking victims during the reporting period, and arranged for one victim to move with her family to an undisclosed location due to possible threats from a suspected trafficker. The government encouraged trafficking victims to participate in investigations and prosecutions of trafficking offenders and did not charge victims for crimes committed as a direct result of being trafficked. According to Aruban officials, the government offered identified trafficking victims relief from immediate deportation and work permits for a maximum of six months; the three labor trafficking victims received immigration relief during the reporting period.

Prevention

The government made progress in its efforts to prevent human trafficking during the reporting period, particularly through awareness raising. It continued to promote its human trafficking awareness campaign in four languages targeted to both victims and the general public and linked to a hotline with operators trained to assist trafficking victims. The Minister of Justice spoke out publicly against trafficking several times during the reporting period, including at a press conference in October 2011 launching Aruba's first National Day Against Human Trafficking. The national coordinator gave several interviews on local radio and television to raise awareness about human trafficking and the hotline during the reporting period. Further demonstrating its commitment to address trafficking, the government forged a public-private partnership that resulted in a hotel chain training its employees in trafficking awareness. The government sustained the functions of its anti-trafficking committee and during the reporting period added a health ministry participant. Aruba's anti-trafficking coordinator and director of public prosecutions were required to provide written reports on anti-trafficking results every three months to Aruba's justice minister in preparation for kingdom justice meetings. The government did not have any awareness campaigns targeting potential clients of the sex trade in Aruba in an effort to reduce the demand for commercial sex acts. There were no known reports of child sex tourism occurring in Aruba, or of Arubans participating in international sex tourism.

*Aruba is a semi-autonomous entity within the Kingdom of the Netherlands. The Kingdom Charter divides responsibility among the co-equal parts of the Kingdom based on jurisdiction. For the purpose of this report, Aruba is not a "country" to which the minimum standards for the elimination of trafficking in the Trafficking Victims Protection Act apply. This narrative reflects how Aruba would be assessed if it were a separate, independent country.