

## Curacao, country narrative in the 2012 TIP Report

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Curacao (TIER 2)  
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Curacao is a source, transit, and destination for women, children, and men who are subjected to sex trafficking and forced labor. There are indications that child prostitution may be a problem in Curacao and that some of the hundreds of migrant women in Curacao's illegal and regulated sex trades are victims of forced prostitution. It is unclear how the recruitment process works for Curacao's walled, legal, brothel in a remote area that offers "24/7 access to more than 120" foreign women in prostitution. Local authorities believe that migrant workers also have been subjected to forced domestic service and forced labor in construction, landscaping, and shops. Some migrants in restaurants and local businesses may be vulnerable to debt bondage. Foreign trafficking victims originate from Colombia, the Dominican Republic, Haiti, and Asia.

The Government of Curacao does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During 2011, Curacao enacted articles in its criminal code prohibiting all forms of human trafficking. In contrast to previous years, the government has not identified a trafficking victim or shown evidence of increasing efforts to protect victims.

Recommendations for Curacao: Make a robust and transparent effort to identify and assist potential victims of sex trafficking and forced labor by implementing formal proactive victim protection measures to guide officials, including health workers, on how to identify victims and how to assist victims of forced labor and sex trafficking in the legal and illegal sex trade; integrate outreach by a Spanish-speaking victim advocate, trained in human trafficking indicators, into routine health inspections at the legal brothel to ensure the rights of women in the brothel are protected and coordinate with law enforcement if signs of trafficking arise; consult with The Netherlands government on how it proactively finds victims of sex trafficking within the sex trade; vigorously prosecute, convict and sentence trafficking offenders, including any officials complicit in human trafficking; and implement a multilingual public awareness campaign directed toward potential victims, the general public, and potential clients of the sex trade.

### Prosecution

The government demonstrated modest efforts in the prosecution of trafficking offenders. In November 2011, the government passed a new penal code containing articles that prohibit forced labor and sex trafficking and prescribes penalties ranging from nine to 24 years' imprisonment. These penalties are sufficiently stringent and commensurate with those for other serious crimes, such as rape. The government reported one new investigation of an alleged trafficking offense, but no prosecutions or convictions of sex or labor trafficking offenders occurred under the new statute or any other statutes that had been used in the past to prosecute trafficking offenders. There were no investigations or prosecutions of officials complicit in human trafficking. The government did not offer law enforcement training to identify trafficking victims and offenses.

### Protection

The government's victim protection measures remained weak over the last year. The government did not identify any trafficking victims during the reporting period, compared with four victims identified in 2010 and 16 victims identified in 2009. The lack of identification of sex trafficking victims, despite a significant population of vulnerable foreign women and girls in prostitution in Curacao's sex trade, highlights the ineffectiveness of the government's victim identification measures. Organizations in Colombia and Venezuela reported assisting trafficking victims who had been exploited in Curacao. The government did not ensure that health officials charged with regulating the Curacao brothel employed measures aggressively to identify human trafficking victims and refer suspected victims for assistance. The government operated multipurpose shelters, but these facilities reportedly did not assist any trafficking victims during the reporting period. The government did not grant temporary or longer-term residency status to any foreign victims of trafficking during the year. The government did not report a policy to protect identified victims from being punished for crimes committed as a direct result of being in a trafficking situation.

### Prevention

The government initiated few trafficking prevention efforts during the year, such as multilingual public awareness campaigns about forced labor and forced prostitution. A two-day information campaign, held around the International Trafficking in Persons Day, included televised videos, radio advertisements, and other media outreach. The Curacao government acknowledged by ministerial decree the observance of the European Union Anti-Trafficking Day. The government did not have any awareness campaigns specifically targeting potential clients of the sex trade in Curacao in an effort to reduce the demand for commercial sex acts. Curacao did not have a trafficking rapporteur to monitor and evaluate its anti-trafficking efforts. The government has not identified a child sex tourism problem involving Curacao.

\*Curacao 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, Curacao 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 Curacao would be assessed if it were a separate, independent country.