



ARUBA NEEDS ASSESSMENT ON MIGRATION GOVERNANCE

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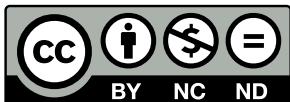
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ARUBA

NEEDS ASSESSMENT ON MIGRATION GOVERNANCE



FOREWORD

Migration trends and flows in the Caribbean region have shifted significantly in the last decade, demonstrating the need to create migration governance systems that can adapt and respond effectively for the management of these evolving flows. Aruba faces unique migration flows and challenges while making positive advancements towards improving migration governance and recognizing the benefits migration can provide to its national development.

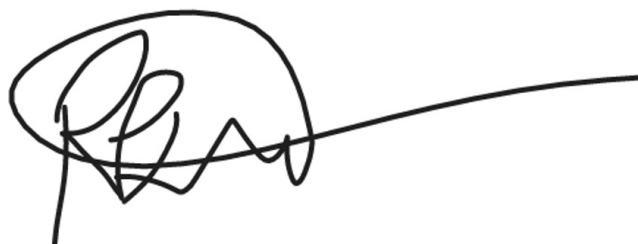
As the leading organization addressing migration around the world, and recognizing the impact of migration on development, IOM works with governments and partners in the international community to tackle old and new challenges posed by migration management; promote understanding about the nature of migration flows; encourage social and economic development through the benefits of migration; and ensure respect for the human dignity and well-being of migrants.

The series of Migration Governance Needs Assessments, now implemented in Aruba, address the challenges and opportunities for guaranteeing that migration to, from and

within the region occurs through well-managed migration policies and mechanisms. This report for Aruba has been contextualized to Aruba's particular situation, and, published in both English and Dutch, provides key information to support the Government in understanding the current migration governance systems. The report highlights specific identified needs to support informed decision-making to strengthen migration governance that will benefit both the State and migrants.

The Migration Governance Needs Assessments represent a far-reaching effort across Central America, North America and the Caribbean, seeking to expand the understanding of the institutions and policies regulating migration in the regions in order to support intraregional sharing of good practices and the identification of efficient solutions to challenges in migration governance.

We believe that producing accurate and reliable information and analysis is a crucial step towards empowering governments and identifying ways in which IOM and other international partners can assist in strengthening effective migration management.

A handwritten signature in black ink, consisting of a large, stylized 'R' followed by a series of loops and a long horizontal stroke extending to the right.

Robert Natiello

Regional Coordination Officer for the Caribbean and Chief of Mission, IOM Guyana

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ACRONYMS AND ABBREVIATIONS

AZV	General Health Insurance (Algemene Ziektekosten Verzekering)
BRA	Crisis Management Office (Bureau Rampenbestrijding Aruba)
CARICOM	Caribbean Community
CBS	Central Bureau of Statistics
CMMA	Center on Human Trafficking and Migrant Smuggling Aruba (Coördinatiecentrum Mensenhandel en Mensensmokkel Aruba)
DAO	Department of Labour and Research (Directie Arbeid en Onderzoek)
DIMAS	Department of Integration, Management and Admission of Foreign Nationals (Departamento di Integracion, Maneho y Admision di Stranhero)
DPL	Department of Labour Progress (Departamento di Progreso Laboral)
GDP	Gross Domestic Product
GNC	Aruba Border Control (Guarda Nos Costa)
HIAS	Hebrew Immigrant Aid Society
HOH	Dr. Horacio Oduber Hospital
IASA	Aruba Immigration Service (Instituto Alarma y Seguridad Aruba)
KWCARIB	Dutch Caribbean Coast Guard (Kustwacht Caribisch Gebied)
LTU	Landsverordening Toelating en Uitzetting
MHSI	Ministry of Justice, Security and Integration (Ministerio di Husticia, Seguridad y Integracion)
R4V	Inter-Agency Coordination Platform for Refugees and Migrants from Venezuela
SER	Social Economic Council (Sociaal Economische Raad)
UNHCR	United Nations High Commissioner for Refugees

INTRODUCTION

Migration trends in the Caribbean have changed along with regional and global dynamics. In recent decades, the region has seen important transformations in the factors that push people to migrate, in the profiles of migrants and in the risks to which migrants are exposed.

In this context, promoting organized, safe, and regular migration is key. With the support of the international community, governments in the region have recognized the need to develop migration governance systems that allow them to respond to emerging challenges and to maximize the opportunities presented by migration.

The International Organization for Migration (IOM) has developed different guidelines and tools to support governments in this process and to facilitate aligning domestic policy with international standards for the protection of migrants, including the 2030 Agenda for Sustainable Development and specifically goal 10.7 to “facilitate orderly, safe, and responsible migration and mobility of people, including through implementation of planned and well-managed migration policies.”

As part of these efforts, IOM has created the Migration Governance Framework (MiGOF), which defines the principles and objectives of effective migration governance. Additionally, IOM has developed the Migration Governance Indicators (MGI) as an instrument that, without addressing implementation, assesses the institutional, legal and public policy framework on migration in the countries that request it.

This *Migration Governance Needs Assessment* offers a panoramic view of migration governance in Aruba, including information about the successes and challenges in the establishment of a comprehensive migration policy and incorporating the perspective of the private sector and civil society. The report was developed in an accessible format that provides data on the structures and policies regulating migration governance and that identifies priorities for strengthening government capacity to manage migration effectively.

METHODOLOGY

In 2018, the International Organization for Migration (IOM) carried out a comprehensive assessment of migration governance needs in ten Caribbean countries. In 2019, the study was replicated in Haiti, and in 2020 the methodology was expanded to Belize, Costa Rica, the Dominican Republic, El Salvador, Guatemala, Guyana, Honduras, Mexico, Panama and Suriname.

The methodology involved:

- A review of secondary sources of information, including national legislation, regulations and protocols, government reports and studies conducted by IOM, other United Nations agencies and international organizations.
- A baseline questionnaire made up of a set of 35 indicators and 89 sub-indicators, based on the principles and objectives of the IOM Migration Governance Framework (MiGOF). The questionnaire made it possible to identify the specific information gaps and inform the development of protocols for conducting semi-structured interviews.
- A series of in-person and remote semi-structured interviews conducted with government officials, members of civil society and representatives of United Nations agencies.
- Triangulation of primary data, compared with information provided by different information sources, in order to guarantee the reliability of the results.

In Aruba, 10 interviews were conducted in February and March 2021 with 17 representatives of government ministries, civil society and the private sector. Interviews with government officials included representatives of the Ministry of General Affairs, Integrity, Energy, Innovation and Government Organization (Ministerio di Asunto General, Integridad, Organisacion Gubernamental, Innovacion y Energia) and its Crisis Management Office (Bureau Rampenbestrijding) and Chain Migration Manager, the Ministry of Justice, Safety and Integration (Ministerio di Husticia, Seguridad y Integracion) and its Department of Integration, Management and Admission of Foreign Nationals (Departamento di Integracion, Maneho y Admision di Stranhero) and Coordination Center on Human Trafficking and Migrant Smuggling Aruba (Coördinatiecentrum Mensenhandel en Mensensmokkel Aruba), the Ministry of Social and Labour Affairs (Ministerio di Asunto Social y Labor) and its Department of Labour Progress (Departamento di Progreso Laboral) and Department of Labour and Research (Directie Arbeid en Onderzoek), the Ministry of Finance, Economic Affairs, and Culture and its Central Bureau of Statistics Aruba (Centraal Bureau voor de Statistiek Aruba).

The final result is a document that offers an updated panoramic view of migration governance in Suriname, structured in six thematic chapters:

1. Migration Policies and Adherence to International Standards
2. Migration and Border Management
3. Migration Management in Situations of Emergencies and Disasters
4. Migrant Protection and Assistance
5. Migration and Health
6. Labour Migration and Human Development

Each chapter is divided into three subsections that include:

- a) a factual description of government management of migration;
- b) a section of bullet points that highlight the most important aspects discussed in the description; and
- c) a table that details the principal needs related to migration governance, organized by sector.

The identified needs included in each chapter were prepared based on the information provided by government representatives, IOM specialists and representatives of civil society and non-governmental organizations. These offer recommendations and opportunities for improvement, but they are not exhaustive and do not represent the official position of the Government of Aruba or the organizations consulted.

COUNTRY OVERVIEW: ARUBA

Aruba, located north of the Bolivarian Republic of Venezuela and northwest of Curaçao, is an island in the Caribbean Sea, covering an area of 180 km² with a coastline of 68.5 km².¹ Colonized largely by Spain throughout the fifteenth and sixteenth centuries, Aruba came under the full control of the Netherlands in 1636. The island became a self-governing state within the Kingdom of the Netherlands² and achieved its current status as an autonomous overseas country and territory on 1 January 1986.³

Migration has long shaped Aruban social and cultural development, and the population hails from varied backgrounds. As a result, Aruba has a very diverse population of approximately 111,050 registered individuals.⁴ With people from nearly 133 different countries and 92 different nationalities,⁵ predominantly from Colombia, the Bolivarian Republic of Venezuela, the Dominican Republic and the Netherlands, migrants constitute one-third of the population of Aruba. The vast majority of the population, constituting 29,990 people, is concentrated in or around the capital Oranjestad. Papiamentu and Dutch are the official languages of Aruba, although English and Spanish are also widely spoken.⁶

The island engages in several regional institutions and mechanisms, including the Global Forum on Migration and Development (GFMD),⁷ the Association of Caribbean States (ACS), participating as an associate member,⁸ and the Caribbean Migration Consultations (CMC), of which Aruba was one of the original countries to endorse its formation.⁹ Aruba is also an observer in the Caribbean Community (CARICOM), which comprises 15 Member States

and five Associate Members,¹⁰ though consultations have been held towards obtaining an associate membership through the Kingdom of the Netherlands. Moreover, in 2019, the Netherlands signed a memorandum of understanding with the Caribbean Disaster Emergency Management Agency (CDEMA) for the Kingdom of the Netherlands, including Aruba. This is viewed as the first step towards obtaining membership to CDEMA.¹¹ The island is also a member of the Organisation for Economic Co-operation and Development (OECD) – an international framework that helps countries shape policies.¹²

Aruba is considered a high-income country,¹³ with a Gross Domestic Product (GDP) of USD 3,202 billion¹⁴ and a GDP per capita of USD 30,252.279.¹⁵ The tourism sector is Aruba's largest source of income, which has led to a construction expansion, mainly for hotels, in recent years,¹⁶ contributing 89 per cent to the island's employment rate and approximately 86.5 per cent to the island's total GDP.¹⁷ However, in 2020, the tourism industry came to an abrupt standstill as a result of the global COVID-19 pandemic. Aruba experienced the greatest impact on national GDP of any country in the Caribbean, with a loss of 13.7 per cent.¹⁸

1 Government of the United States of America, 2021.

2 The State of the Kingdom of the Netherlands comprises four autonomous countries, including the Netherlands, Aruba, Curaçao and Sint Maarten. According to the X, "Only the Kingdom – not the individual autonomous countries or the public bodies – has international legal personality," (The Hague, the Netherlands: Government of the Netherlands, Ministry of Foreign Affairs, 2015). For more information, please see www.government.nl/binaries/government/documents/leaflets/2015/06/05/kingdom-of-the-netherlands-one-kingdom-four-countries-european-and-caribbean/the-kingdom-of-the-netherlands-4-pager-eng.pdf.

3 Government of Aruba, n.d.k

4 CBS Aruba, 2020.

5 CBS Aruba, 2017.

6 Government of the United States of America, 2021.

7 GFMD, 2019.

8 ACS, 2017.

9 IOM, 2021.

10 CARICOM Repatriations Commission, n.d.

11 CDEMA, n.d.

12 OECD, n.d.

13 World Bank, 2021e.

14 World Bank 2021a.

15 World Bank, 2021b.

16 IMF, 2021.

17 Government of Aruba, 2019d.

18 Ibid.

In recent years, Aruba has seen a significant increase in its migrant population, comprising migrants in regular and irregular status. According to the United Nations High Commissioner for Refugees (UNHCR), Aruba hosted the largest number of displaced Venezuelans relative to its national population compared to any other country in the world in 2019, with 156 Venezuelan migrants per 1,000 citizens.¹⁹ The United Nations Department of Economic and Social Affairs reported that the island had a net migration rate of 8.27, with an international migration stock of 53,593, constituting 50.2 per cent of the total population, of which 54.6 per cent was female.²⁰ However, recent numbers from the Central Bureau of Statistics of Aruba show that in 2020, the net migration rate dropped to -11.4, with an international migration stock of 39,158, constituting 34.6 per cent of the total population, of which 52.1 is female.²¹

Between 2015 and 2020 the emigration rate gradually increased from 21.4 to 27.9, with 2,334 residents of Aruba emigrating to another country in 2015 and 3,113 in 2020.²² Many emigrate to the United States of America, the Netherlands, Curaçao, Sint Maarten, and other Caribbean islands of the Kingdom of the Netherlands. In 2018, Aruba received USD 36,920,295.448 in remittances,²³ constituting approximately 1.2 per cent of Aruba's GDP.²⁴

19 UNCHR, 2018.

20 UN DESA, 2020.

21 CBS Aruba, 2020.

22 Ibid.

23 World Bank, 2021d.

24 World Bank, 2021c.

GENERAL INFORMATION

CAPITAL	CURRENCY	POPULATION ²⁵	AREA (km ²)	GDP PER CAPITA (USD) ²⁶	MAIN ECONOMIC ACTIVITY
Oranjestad	Aruban Florin (AWG)	111,050	180	30,252,279	Tourism

MIGRATION DATA

IMMIGRATION POPULATION ²⁷	IMMIGRATION POPULATION (% of total population) ²⁸	WOMEN (% of immigrant population) ²⁹	EMIGRANT POPULATION ³⁰	INTERNALLY DISPLACED PERSONS	REMITTANCES RECEIVED (million USD) ³¹	REMITTANCES RECEIVED (% of GDP) ³²	NET MIGRATION RATE ³³
39,158	34.6	52.1	3,113	No data available	36,920,295.448	1.2	11.4

²⁵ CBS Aruba, 2020.

²⁶ World Bank, 2021b.

²⁷ CBS Aruba, 2020.

²⁸ Ibid.

²⁹ Ibid.

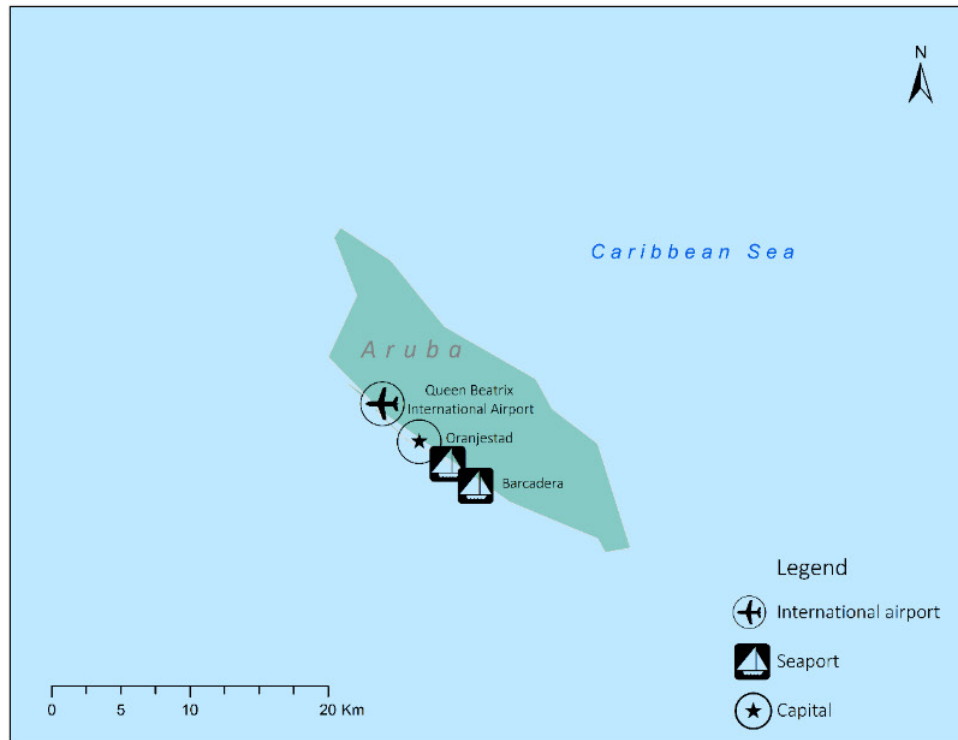
³⁰ Ibid.

³¹ World Bank, 2021d.

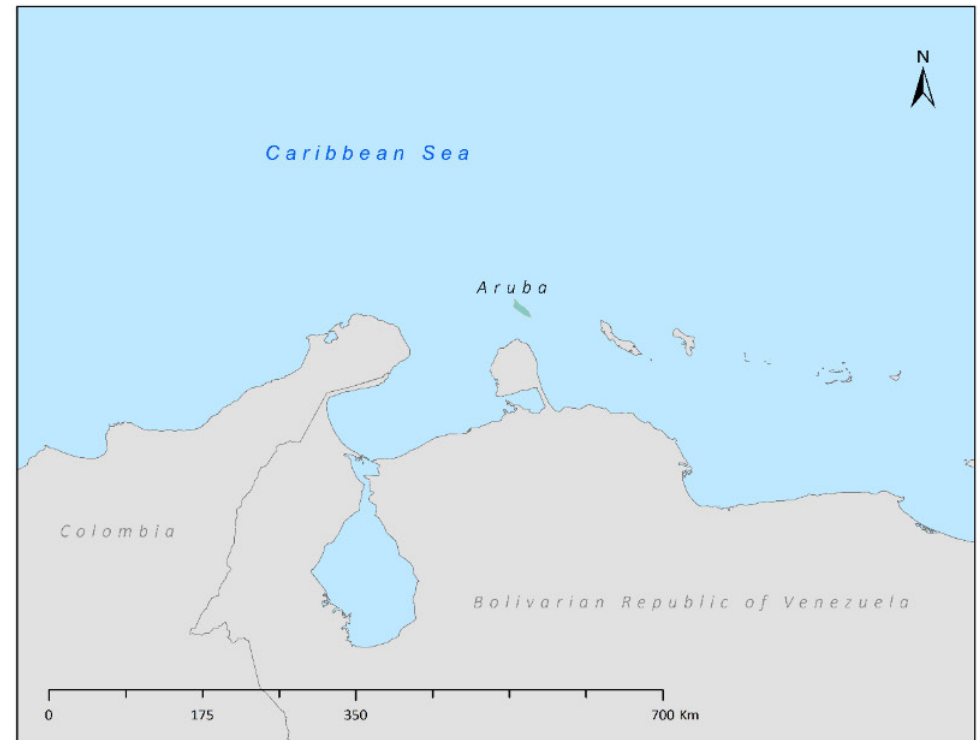
³² World Bank, 2021c.

³³ CBS Aruba, 2020.

LOCATION



Basemap source: ESRI and UN World Map
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Basemap source: ESRI and UN World Map
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MIGRATION POLICIES AND ADHERENCE TO INTERNATIONAL STANDARDS

This section describes the different national policies that have been developed in Aruba for the management of migration.³⁴ It also includes information about the status of ratification of international treaties that support the respect for the rights of migrants.

The Kingdom of the Netherlands, including Aruba, has ratified eight of the nine main international instruments in the field of human rights. The Kingdom has not yet ratified the *International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families*.³⁵

The main legislation regulating immigration in Aruba can be found in the *National Ordinance on Admission and Expulsion (Landsverondering toelating en uitzetting (LTU))*, AB 1993 no. GT 33, last amended in AB 2021 no. 49).³⁶

Although the *Charter for the Kingdom of the Netherlands* (Art. 3) – which regulates the constitutional relationship between the constituent countries of the Netherlands, including Aruba – states that the expulsion of foreign nationals are Kingdom affairs, in practice, the island handles these matters nationally.³⁷ The island has created bilateral agreements for the extradition of foreign nationals with Mexico and the United States of America.³⁸ The Aruba Border Control (*Guarda Nos Costa*), located in the Ministry of Justice, Security and Integration (*Ministerio di Husticia, Seguridad y Integracion*), is mandated through the LTU with executing orders for deportation, expulsion or extradition of foreign nationals. Those who have been subjected to expulsion are refused entry to the island for a period of at least eight years (Art. 15).³⁹

The *Constitution of Aruba (Staatsregeling van Aruba, Art. 1)* prohibits discrimination on the grounds of “religion, philosophy of life, political affiliation, race, gender, skin colour, language, national or societal background, national minorities, capital, birth, or any other ground,”⁴⁰ and persons are liable to a maximum imprisonment of one year or a fine of up to AWG 10.000 /USD 5.587 for discriminatory actions.⁴¹ Although the Act does not particularly mention migration status, it does state that discrimination based on one’s national or societal background is prohibited,⁴² thus providing some protection to migrants.

The Ministry of Justice, Security and Integration is the primary government entity mandated with migration management. There is no overarching migration policy or strategy and several government institutions have identified this as a need for an effective migration governance. The following coordination mechanisms pertaining to migration have been established: a) the Immigration Chain (*Vreemdelingenketen*) as an inter-ministerial coordination mechanism;⁴³ and b) the Chain Migration Management (*Migratie Managementketen*), housed within the Ministry of General Affairs, Integrity, Energy, Innovation and Government Organization (*Ministerio di Asunto General, Integridad, Organizacion Gubernamental, Innovacion y Energia*), established in 2018 in response to the increased migration flows from the Bolivarian Republic of Venezuela to Aruba. Additionally, a Migration Council (*Migratie Raad*),⁴⁴ which will include government and non-government institutions, is in development to identify gaps in migration management and foster informed decision-making. Authorities from the Ministry of Justice, Security and Integration have identified the need for recommendations from experts in the field of migration and international protection, such as IOM and UNHCR, regarding migration management to better streamline the processes of the Migration Chain. IOM Aruba also identified the need to assist the Government of Aruba on migration themes and how migrants can contribute to the socio-economic development of the island.

34 As a result of the COVID-19 pandemic, the Netherlands established the Kingdom Act Caribbean Body for Reform and Development (Rijkswet Caribisch orgaan voor hervorming en ontwikkeling or COHO) – A Caribbean reform and development entity for Aruba, Curaçao and Sint Maarten. A country package was created for each island to receive liquidity support from the Netherlands to limit the consequences of the COVID-19 pandemic. However, several conditions have been attached the country packages, such as reform requests, which may lead to changes in Sint Maarten’s policies, including migration policies. For more information please see: www.raadvanstate.nl/@123232/w04-20-0408/.

35 OHCHR, n.d.

36 Government of Aruba, 2021c.

37 Kingdom of the Netherlands, 2017.

38 Copy of treaties on extradition in force for Aruba provided by the Foreign Relations Office of the Ministry of General Affairs, Integrity, Government Organization, Innovation and Energy.

39 Government of Aruba, 2021c.

40 Government of Aruba, 1987.

41 Government of Aruba, 2020.

42 Government of Aruba, 1987.

43 The Migration Chain includes, among others, advisors of the Department of Integration, Management and Admission of Foreign Nationals (*Departamento di Integracion, Maneho y Admision di Stranhero* or DIMAS), the Institution of Alarm and Security (*Instituto di Alarma y Seguridad Aruba* or IASIA), the Aruba Border Control (*Guarda Nos Costa* or GNC), and the Corps Police (*Korps Politie Aruba* or KPA), located in Ministry of Justice Security and Integration (*Ministerio di Husticia, Seguridad y Integracion*, MinHSI); the Department of Labour (*Departamento di Progreso Laboral* or DPL) and the Labour and Research Department (*Directie Arbeid en Onderzoek* or DAO), located in the Ministry of Social Affairs and Labour; the Civil Registry and Population Register (*Dienst Burgelijke Stand en Bevolkingsregister* or DBSB) located in the Ministry of General Affairs, Integrity, Energy, Innovation and Government Organization and the Coast Guard of the Kingdom of the Netherlands in the Caribbean region (*Kustwacht voor het Koninkrijk der Nederland in the Caribbean region* or KWCARIB). For more information on the Migration Chain, please see: www.dimasaruba.aw/en/about-dimas/.

44 The Migration Council was proposed by the Social Economic Council (*Sociaal Economisch Raad* or SER) in 2019 to formally engage with the private sector, social partners, local authorities, academia and expatriate communities in agenda setting.

The Civil Registry Office (*Dienst Burgerlijke Stand en Bevolkingsregister*), housed in the Ministry of General Affairs, Integrity, Energy, Innovation and Government Organization, maintains, among others, a database for the registration of foreign nationals with residency permits as well as the deregistration of nationals residing abroad,⁴⁵ and this information can be disaggregated by nationality and country of birth. The Civil Registry Office shares data on incoming and outgoing migration, including information on migrants in regular and irregular status, with the Central Bureau of Statistics (CBS) of Aruba to be published on a quarterly basis. The CBS also compiles and publishes migration data, especially in the national census, held once every ten years, which includes information on nationality, country of birth, international marriages, previous country of residence, month and year of last establishment in Aruba, total period living continuously in Aruba, and total years living in Aruba. Other data on migration include the baseline study conducted by the Department of Integration, Management and Admission of Foreign Nationals (*Departamento di Integracion, Maneho y Admision di Stranhero* or DIMAS) under the Ministry of Justice, Security and Integration comprised of data samples on legal status, demographics such as nationality, sex, age, labour occupation, asylum application, permit application, and registration of entry or non-registration. Although the Central Bureau of Statistics notes that there are sufficient data on migration, there is a need to receive data on a timely basis and have more cooperation between government departments, specifically with the departments of immigration, education and health. Moreover, the COVID-19 pandemic at the beginning of 2020 shed light on the need to create a centralized data mechanism to inform the development, planning and implementation of policies, such as policies related to health. In light of this, the Government of Aruba created an e-Government platform.⁴⁶ According to officials of the Ministry of General Affairs, Integrity, Energy, Innovation and Government Organization, government agencies with responsibility for migration are developing a migration information platform that will link the different existing systems to better streamline data sharing on migration between these agencies. This platform is expected to be implemented by the end of 2021. Furthermore, IOM Aruba provides training on data protection, and this may be requested by the government.

DIMAS handles, among other responsibilities, permit applications and the admission of foreign nationals not obligated to have an official permit.⁴⁷ Individuals are able to enter and stay on the island through temporary or permanent residence permits and temporary or permanent work permits. In order to obtain a permanent residency permit, a person must have obtained a temporary residency permit for at least 120 months, including proof of registration at the Civil Registry Office for the required months.⁴⁸ Citizens of the

Caribbean countries of the Kingdom of the Netherlands may be exempt from the permit procedure if: a) they were born or naturalized in Aruba; b) they were born in one of the Caribbean countries of the Kingdom of the Netherlands and have been a resident of Aruba continuously since 1 January 1986; c) they have Dutch nationality and either or both parents were born or naturalized in Aruba; or d) they have legally resided in Aruba for a minimum of five uninterrupted years.⁴⁹ To effectively process permits and handle other related tasks, authorities of DIMAS have identified the need for more skills and capacity building for employees, such as computer training to increase digital skills.

Migrants in Aruba can obtain citizenship by birth, recognition, option statement or naturalization.⁵⁰ The option statement is a fast way to obtain Dutch nationality, and persons must be in possession of a valid residence permit. This procedure applies to several migrant groups, including children of immigrants who are at least 18 years old, were born in the Kingdom of the Netherlands, and have legally resided in one of the countries in the Kingdom. Migrants can also apply for naturalization through an option statement if they previously had Dutch nationality and want to regain it, or if they have been married to someone with Dutch nationality for at least three years and have continuously resided in Aruba for at least 15 years.⁵¹ In other cases, naturalization is possible after five uninterrupted years of residence on the island, and migrants can apply for naturalization at DIMAS. As part of the naturalization process, migrants must conduct an integration assessment, which tests their knowledge of Aruba and their ability to speak the Papiamentu and Dutch languages. According to the Social Economic Council of Aruba (*Sociaal-Economische Raad* or SER), the integration assessment could be more comprehensive in terms of the Aruban daily culture so that migrants are encouraged to integrate more fully. There is also an extensive need for locals to learn more about migrant populations in Aruba, and the Council believes that this could be done through campaigns, about migrants, targeted at the local population.

45 Government of Aruba, n.d.l.

46 IMF, 2021.

47 Government of Aruba, 2021a.

48 Government of Aruba, 2021f.

49 Government of Aruba, 2021b.

50 Government of the Netherlands, 2021.

51 Ibid.

Information outlining migration processes is provided in the four primary languages spoken in Aruba – Papiamentu, Dutch, English and Spanish – to the public via the website of DIMAS: www.dimasaruba.aw/en/. Nonetheless, officials from DIMAS have identified the need to also translate government documents, which are written in Dutch, into the other key languages in order for them to be fully accessible to migrants.

According to the *Constitution of Aruba* (Arts. 3.5 and 3.6), Dutch nationals who are 18 years or older and residents of Aruba are allowed to vote, and residents who are at least 21 years old, hold a Dutch nationality and have not been exempt from their voting rights, are allowed to be a member of the Parliament.⁵² Through the *National Ordinance on Administrative Jurisdiction* (*Landsverordening administratieve rechtspraak*, AB 1993 no. 45, wijzigingen; AB 2003 no. 32; AB 2009 no. 75; AB 2012 no. 54; inwtr. AB 2013 no. 15) individuals, including migrants, have the right to formally appeal rejections or negative results.⁵³ As stated by the authorities of the Ministry of Justice, Safety and Integration, migrants have access to legal recourse and can present cases in court regardless of their migration status: Migrants may secure legal representation, but it is not provided by the government.

⁵² Government of Aruba, 1997.

⁵³ Government of Aruba, 2013.

⁵³ All treaties were signed by the Kingdom of the Netherlands. For more information please see: www.treatydatabase.overheid.nl/

ORGANIZATIONAL AND LEGISLATIVE FRAMEWORK

Legislation governing migration	✓	<i>National Ordinance on Admission and Expulsion</i>
National migration policy in a programmatic document	✗	
Interministerial coordination mechanism	✓	Migration Chain
National laws dealing with extradition and agreements for extradition facilitation	✓	<i>National Ordinance on Admission and Expulsion</i>

RELEVANT INTERNATIONAL TREATIES⁵⁴

Convention or treaty		Year of ratification
<i>International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families</i>	✗	
<i>International Covenant on Civil and Political Rights and Its Two Protocols</i>	✓	1978. Optional Protocol ratified in 1978. Second Optional Protocol ratified in 1991.
<i>International Covenant on Economic, Social and Cultural Rights</i>	✓	1978
<i>International Convention on the Rights of the Child</i>	✓	1995
<i>Convention on the Elimination of All Forms of Discrimination against Women</i>	✓	1991
<i>Convention on the Rights of Persons with Disabilities</i>	✓	2016
<i>Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment</i>	✓	1988
<i>International Convention for the Protection of All Persons from Enforced Disappearances</i>	✓	2011
<i>International Convention on the Elimination of All Forms of Racial Discrimination</i>	✓	1991

MIGRATION POLICIES AND ADHERENCE TO INTERNATIONAL STANDARDS



Migration strategy and regulatory framework

- The legislation regulating immigration is the *National Ordinance on Admission and Expulsion*.
- There is no overarching migration policy or strategy.
- The Aruba Border Control is mandated through the *National Ordinance on Admission and Expulsion*, with executing orders for deportation, expulsion or extradition of foreign nationals.



Anti-discrimination

- Aruba has no law that prohibits discrimination or harassment on grounds of migration status.
- The *Constitution of Aruba* prohibits discrimination on the grounds of religion, philosophy of life, political affiliation, race, gender, colour, language, national or societal background, national minorities, birth, and capital.
- Persons are liable to maximum imprisonment of one year or a fine of up to AWG 10,000/USD 5,587 for discriminatory actions.



Records and data collection

- The Civil Registry Office maintains a database for the registration of foreign nationals with residency permits as well as the deregistration of nationals residing abroad, and this information can be disaggregated by nationality and country of birth.
- The Civil Registry Office shares migration data with the Central Bureau of Statistics of Aruba to be published on a quarterly basis.
- The Central Bureau of Statistics compiles and publishes migration data in the national census and this information can be disaggregated by nationality, country of birth and other migrant related demographics.
- The Department of Integration, Management and Admission of Foreign Nationals has conducted a baseline study on migration.



Residence and citizenship

- Migrants are able to enter and stay on the island through temporary or permanent residence permits and temporary or permanent work permits.
- In certain cases, citizens of the Caribbean countries of the Kingdom of the Netherlands may be exempt from the permit procedure.
- Citizenship can be obtained by birth or recognition, through an option statement, or through naturalization.
- Naturalization is possible after five uninterrupted years of residence.



Access to political rights

- The *Constitution of Aruba* allows Dutch nationals who are 18 years or older and a resident of Aruba to vote.
- Residents who are minimum 21 years old, hold a Dutch nationality and have not been exempt from their voting rights, are allowed to be a member of the Parliament.
- Migrants have access to legal recourse and can present cases in court regardless of their migration status, and may secure legal representation (not provided by the government).

MAIN NEEDS IDENTIFIED BY THE GOVERNMENT

- Create, implement and coordinate a comprehensive and inclusive migration policy and strategy.
- Engage with international experts in the field of migration and international protection to receive recommendations regarding migration management to better streamline the processes of the Migration Chain.
- Develop a centralized data collection system for migration data, disaggregated by nationality and migration status.
- Share migration data with the Central Bureau of Statistics on a timely basis for them to produce frequent reports on migration.
- Increase skills and capacity building for officers of the Department of Integration, Management and Admission of Foreign Nationals, such as computer training to increase digital skills, to effectively process permits and handle other related tasks.
- Translate government documents pertaining to migration to the Papiamentu, English and Spanish languages to allow them to be more accessible to non-Dutch speaking migrants.

MAIN NEEDS IDENTIFIED BY IOM

- Consider the ratification of the *International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families*.
- Create comprehensive anti-discrimination policies that include migration status.
- Train government officials on migration themes and how migrants can contribute to the socio-economic development of the island.
- Consider implementing the IOM training on data protection for government officials to effectively manage the e-Government platform and other data collection mechanisms from a gender perspective.
- Adjust the integration assessment to include comprehensive topics related to the culture of Aruba to foster a greater integration of migrant populations into Aruban society.
- Create campaigns about migrants, targeted at the local population on the island.

MIGRATION AND BORDER MANAGEMENT

This chapter presents a brief description of the main structures and systems available in Aruba to manage migration flows and exercise border control.

Aruba has one principal airport and two official seaports which accept the international arrivals of persons. Unofficial border crossing points can be found across the extended sea borders with the Bolivarian Republic of Venezuela on the southern part of the island, where movements of migrants in irregular status have been detected.⁵⁵

The border control of the island falls under the mandate of the Aruba Immigration Services (*Instituto Alarma y Seguridad Aruba* or *IASA*) and the Aruba Border Control (*Guarda Nos Costa* or *GNC*), both located in the Ministry of Justice, Security and Integration (*Ministerio di Husticia, Seguridad y Integracion* or *MHSI*). In addition, the Dutch Caribbean Coast Guard (*Kustwacht Caribisch Gebied* or *KWCARIB*) conducts sea patrols to secure the sea borders of the island.

As stated by key authorities of the Department of Integration, Management and Admission of Foreign Nationals (*Departamento di Integracion, Maneho y Admision di Stranhero* or *DIMAS*), located within the MHSI, overstayers are the most common migrant group in irregular status in Aruba. Although exact numbers on the irregular population on the island are hard to find, DIMAS estimated that 4,000 Venezuelans alone have overstayed their visa. A 2021 situation report published by the Response for Venezuela (R4V) platform⁵⁶ shows that Venezuelans arrive by boat through the irregular migratory sea border pathways;⁵⁷ thus increasing the estimated number of the irregular migrant population on the island. According to DIMAS, migrants in irregular status are able to access regular migration channels through the right to petition, meaning that they can request a work permit through their employer, regardless of their status. Nevertheless, several actors, including the Social Economic Council and the Hebrew Immigrant Aid Society, have identified the need to determine the exact magnitude of the irregular migrant population on the island systematically and promote these regular migration channels, as migrants in irregular status impact both the economy and the perception of the local population towards these migrants.

The *National Ordinance on Admission and Expulsion* (*Landsverordening toelating en uitzetting*) (LTU), AB 1993 no. GT 33, last amended in AB 2021 no. 49) provides provisions for the removal of foreign nationals.⁵⁸ Migrants who: a) have overstayed a visa or permit; b) pose a threat to the public order, peace or security of the island; or c) have entered Aruba in violation of the legal provisions regarding admission and expulsion, are subject to forced return (Art. 15). These migrants will be given a reasonable period of time to leave the country and may be refused admission for a period of at least eight years. The LTU (Art. 16) further stipulates that migrants who have committed an administrative offence may await deportation in a dedicated detention facility as requested by the Minister of Justice, Security and Integration.⁵⁹

The examining magistrate must examine the legality of the deportation request within 72 hours, and during this examination migrants may request to leave detention. Aruba has two immigration detention centres: one located at the airport and one in the Dakota district, which is currently being renovated to provide more space for migrants, including a larger outdoor environment with sport facilities. As stated by the GNC, men and women are held in separated areas, with bed capacity for 96 male and 30 female detainees. The following services are offered to migrant detainees: a) three meals per day with different meal choices; b) television and telephone services; and c) medical care provided by the detention doctor and nurses. Additionally, migrants are allowed to go outside two times a day and have visiting days to talk to family, friends or their lawyer. The age of criminal responsibility is 12 according to the *Penal Code* (*Wetboek van Strafrecht*, Art. 1:152),⁶⁰ though the GNC stated that children are not detained. Migrants in irregular status who are apprehended and who have children are required to report to the government while remaining at their current accommodations. However, when children are unable to stay with their parents or guardians, they are placed in temporary foster care or with foster families. Aruba does not have family detention centres.

According to the Coordination Center on Human Trafficking and Migrant Smuggling Aruba (Coördinatiecentrum Mensenhandel en Mensensmokkel Aruba or CMMA), 51 cases of human smuggling have been reported to the CMMA in the past four years.⁶¹ As stipulated

55 R4V, 2021a.

56 The Inter-Agency Coordination Platform for Refugees and Migrants from Venezuela (R4V) was established by IOM and UNHCR and was created to coordinate the reaction to refugees and migrants from Venezuela. The platform includes almost 200 organizations which, jointly with donating institutions, provide among other things, analysis; strategic planning; and technical support. Moreover, the platform includes a dialogue forum aimed at implementing activities to improve the security and resilience of refugees and migrants from Venezuela. For more information, please see: www.r4v.info/en/aboutus.

57 R4V, 2021b.

58 Government of Aruba, 2021c.

59 Ibid.

60 This number was accumulated from the period 2017–June 2021.

61 Government of Aruba, 2020.

in the Penal Code (Art. 2:154), smugglers are liable to a fine between AWG 25,000/USD 14,000 and AWG 100,000/USD 55,866 or to imprisonment of a term from four to 15 years, depending on the type of smuggling offence.⁶²

In 2016, CMMA was established as an administrative support to the National Coordinator and Taskforce. In 2020, CMMA developed into an information hub to coordinate and support areas of human trafficking and smuggling. The CMMA registers and analyses information on human trafficking and smuggling, coordinates training and awareness campaigns on the island and assists victims of human trafficking.⁶³ As stated by the CMMA, a coordination mechanism has been established with stakeholders across the Kingdom of the Netherlands, based on a memorandum of understanding, to cooperate in the fight against human trafficking and smuggling of migrants. In addition, the Human Trafficking and Migrant Smuggling Aruba Task Force (*Taskforce Mensenhandel en Mensensmokkel Aruba* or TMMA), a multidisciplinary framework that includes representatives of different ministries, meets monthly to advise the government on human trafficking and smuggling and to develop a yearly action plan. The CMMA provides training on human trafficking and smuggling to the Police Force and other government ministries at least once a year and to other parties like NGOs and civil society organizations at their request. Research was conducted to identify common smuggling routes, and in May of 2021, a documentary film to raise awareness was launched on human trafficking and smuggling and people seeking asylum.⁶⁴

The border management system, provided by RADEX, Gamma IT Solutions, records digital information on the entries and exists of persons at the international airport, and includes biometric and search mechanisms that capture Machine–Readable Zone codes and photographs through passport machine–readers. The RADEX database is connected to and shared with local authorities, including the Police Force, DIMAS and the Civil Registry Office (*Dienst Burgerlijke Stand en Bevolkingsregister*). Background checks on visitors, when needed, are conducted through databases of these authorities. RADEX is also linked to national and international watchlists and allows for data sharing with international security and law enforcement entities, such as INTERPOL. The identification of fraudulent documents relies on RADEX as well as training of frontline officers. Nevertheless, key officials from the Ministry of Justice, Security and Integration have identified the need to establish a centralized and automatic information-sharing system between security, law enforcement, and other migration–related entities.

The visa procedure of Aruba is arranged through the Kingdom of the Netherlands, and Aruba cannot personally introduce a visa requirement for a specific country. Most foreign

nationals holding a valid passport and having filled in the embarkation and disembarkation card (ED–card) prior to arrival, may enter visa free and reside on the island for a period up to 30 days.⁶⁵ Countries exempt from a visa-free entry, include among others, Cuba and Haiti. In 2021, the Bolivarian Republic of Venezuela was added. Travelers requiring a visa who wish to visit the island, should apply for a visa at least one month in advance at any representation of the Netherlands in their respective country.⁶⁶ Upon entry, some travellers may apply, at DIMAS, for an extension of stay for more than 30 days, but not exceeding 180 days.⁶⁷

Aruba issues Kingdom of the Netherlands e–passports, and applications for passports are collected at consulates abroad to be processed in–country. According to the Passport Index, which measures the mobility opportunities of a country’s citizens, the Netherlands ranks fourth of 199 countries. The passport index shows that Dutch nationals can travel to 96 countries visa free, to 34 countries with a visa on arrival, and to 64 countries with a visa arranged in advanced.⁶⁸ Aruban residents with Dutch nationality may submit their passport application to the Civil Registry Office. Persons who are not registered, such as non-residents who hold Dutch nationality, may submit an application to the Cabinet of the Governor (*Kabinet van de Gouverneur*) to receive a passport. Passports costs range between AWG 135 / USD 75 and AWG 170 / USD 95.⁶⁹

62 Government of Aruba, n.d.a

63 Government of Aruba, n.d.a

64 Government of Aruba, n.d.f

65 Government of Aruba, 2021f.

66 Government of the Netherlands, 2021.

67 Government of Aruba, 2021e.

68 Passport Index, 2021.

69 Cabinet of the Governor Aruba, 2021.

MIGRATION AND BORDER MANAGEMENT



Border management

- Aruba has one international airport and two official seaports.
- The Aruban Border Control and Immigration Services is responsible for the border management of Aruba.
- The Dutch Caribbean Coast Guard secures the sea borders of the island.
- Machine readers and scanners are available at the airport.
- Passports are checked against national and international watchlists.



Migrant detention

- Aruba has two migrant detention centres, which offer three meals a day, television and telephone services, medical care, and visiting days.
- The examining magistrate has 72 hours to examine the legality of the deportation request, and during this examination migrants may request to leave detention.
- The age of criminal liability is 12; however, migrant children in irregular status are not detained.



Smuggling of migrants

- Between 2017 and 2021 there have been 51 cases of human smuggling on the island.⁷⁰
- The Government of Aruba has ratified the *Protocol against Smuggling of Migrants by Land Sea and Air*, but it has not been included into the country's legislation.

INFRASTRUCTURE AND EQUIPMENT⁷⁰

Border Management System	✓	Provided by RADEX, Gamma IT Solutions
Records of entries and exits	✓	Digital records
Electronic/biometric passports	✓	Dutch passports
Readers or scanners	✓	Machine-readers and scanners capture Machine-Readable Zone codes and photographs
Identification of fraudulent documents	✓	Through the border management system and training of frontline officers

RELEVANT INTERNATIONAL TREATIES

Convention or treaty		Year of ratification
1954 Convention on the Status of Stateless Persons	✓	1962
Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment	✓	1988
United Nations Convention against Transnational Organized Crime and its protocols	✓	2004
Protocol against the smuggling of migrants by land, air and sea	✓	2008
International Convention for the Protection of All Persons from Enforced Disappearance	✓	2011

⁷⁰ All treaties were signed by the Kingdom of the Netherlands. For more information please see: www.treatydatabase.overheid.nl/

⁷¹ This number was accumulated from the period 2017–June 2021.



Border management system

- The border management system is provided by RADEX, Gamma IT Solutions.
- The border management system allows for data-sharing with international security and law enforcement entities.



Visas

- The visa procedure of Aruba is arranged through the Kingdom of the Netherlands.
- Most foreign nationals holding a valid passport may enter visa free and reside on the island for a period of 30 days with extension not exceeding 180 days.
- Visa required nationals wishing to visit the island, should apply for a visa at least one month in advance at any representation of the Netherlands in the concerning country.



Travel documents

- Aruba issues the Kingdom of the Netherlands electronic passports, and applications for passports are collected at consulates abroad to be processed in-country.
- Depending on the embassy or consulate of the Kingdom of the Netherlands, passports are issued within one to three months and are valid for five years.

MAIN NEEDS IDENTIFIED BY THE GOVERNMENT

- Develop a centralized and automatic information-sharing system between security, law enforcement, and other migration-related entities.
- Modernize and expand the migration detention facility in the Dakota district to include more space for migrants.
- Identify common human smuggling routes.

MAIN NEEDS IDENTIFIED BY IOM

- Create a dedicated legislation regarding human smuggling and include provisions as stipulated in the *Protocol against Smuggling of Migrants by Land Sea and Air*.
- Identify common smuggling routes and ensure that migrants being held for minor infractions are not mixed with migrants with criminal profiles such as convictions or history of violence.
- Create a Counter Migrant Smuggling Task Force comprising enforcement and social service officials that addresses the following: all first contact procedures for law enforcement and prosecution; assessments and assistance for stranded migrants; immediate protection; and accompaniment of victims of associated crimes.
- Implement systematic collection of data on migrants in irregular status.
- Find pathways to promote regular migration channels and alternatives to detention.

MIGRANT PROTECTION AND ASSISTANCE

The following section will discuss the main government institutions, legislation, and initiatives that exist in Aruba to provide protection and assistance to migrants, particularly those in situations of vulnerability, such as refugees and asylum seekers, unaccompanied or separated children, victims of trafficking or other forms of violence.

In 2017, the Department of Social Affairs (*Directie Sociale Zaken*), located in the Ministry of Social Affairs and Labour (*Ministerie van Sociale Zaken en Arbeid*), developed the *Integral Social Plan 2018–2021* also known as the *Social Crisis Plan (Integraal Sociaal Plan or Sociaal Crisis Plan)*,⁷² which points out that, while the population of Aruba nearly doubled in the past decade due to an increase in foreign nationals among other factors, the necessary social care and other facilities for vulnerable populations have not expanded. In order to provide adequate assistance, the Government of Aruba highlights several needs in the report, such as the need to: a) identify vulnerable groups on the island, such as migrants, and the reasons for their vulnerability; b) increase cohesion in government programmes with regard to the assistance of vulnerable groups; c) strengthen collaboration between government agencies as currently no collaboration exists; and d) establish a national policy and plan of action.⁷³ Currently, no national action plan exists for the protection and assistance of migrants in situations of vulnerability.

The Coordination Center on Human Trafficking and Migrant Smuggling (*Coördinatiecentrum Mensenhandel en Mensensmokkel Aruba* or CMMA) and the Victim Assistance Bureau (Bureau Slachtofferhulp), both located in the Ministry of Justice, Security, and Integration (*Ministerio di Husticia, Seguridad y Integracion*), are the government agencies responsible for the assistance and care to migrants and victims of trafficking. In the absence of a specific policy plan for the protection and assistance of vulnerable migrants, the government receives support from civil society organizations. According to the Red Cross Aruba, the organization established an assistance program for migrants in vulnerable situations that includes the distribution of food, education and training, health services, and community-based protection activities in 2019. The Red Cross also provides assistance to migrants who have become vulnerable as a result of the COVID-19 pandemic, and, when requested by the Aruba Border Control (*Guarda Nos Costa* or GNC), assistance to migrants in irregular status in detention centres.

As stated by the Hebrew Immigrant Aid Society (HIAS), the organization helps many vulnerable groups on the island, including migrant women, victims of gender-based violence and torture, and LGBTIQ+ people. HIAS established mental health programmes that help identify emotional distress in children and adults resulting from the crisis and how to respond to this distress. Moreover, their programmes aid refugees, asylum seekers and other vulnerable migrants when integrating into the local community, and are provided by the island's government and the private sector.⁷⁴ The HIAS and the Red Cross have identified the following needs for protection and assistance of migrants: a) clarify the roles of the NGOs and the government, as these NGOs do not assume all responsibilities for migrants; b) establish government structures that cater to both the local and migrant populations; c) decrease xenophobic attitudes that may exist in the local community and government agencies by developing awareness campaigns and training on vulnerable migrants; d) fill in data gaps on migrants in irregular status, vulnerable male migrants, and underage migrants not accessing school to inform the establishment of protocols for these vulnerable groups; and e) create public services for the protection and assistance of LGBTIQ+ people on the island. Furthermore, according to the Ministry of Justice, Safety and Integration, there is also a need to establish a comprehensive government system for the identification of vulnerable migrants in irregular status in order to locate migrants with chronic diseases and those who are victims of gender-based violence.

The *Constitution of Aruba (Staatsregeling van Aruba, Art. 1)* prohibits discrimination on the grounds of "religion, philosophy of life, political affiliation, race, gender, skin colour, language, national or societal background, national minorities, capital, birth, or any other ground"⁷⁵ and persons are liable to a maximum imprisonment of one year or a fine of up to AWG 10,000 /USD 5,587 for discriminatory actions.⁷⁶ Although the Act does not particularly mention migration status, it does state that discrimination based on one's national or societal background is prohibited,⁷⁷ thus providing some protection to migrants. Provisions for the protection of LGBTIQ+ people and people living with HIV on the island are also not explicitly mentioned in the Act, which may leave LGBTIQ+ migrants and migrants living with HIV in Aruba in a vulnerable position.

72 Government of Aruba, 2017.

73 Ibid.

74 Ibid.

75 Government of Aruba, 1987.

76 Government of Aruba, 2020.

77 Government of Aruba, 1987.

In 2018, Aruba signed a memorandum of understanding on the *Rights of the Child*, in which assistance for vulnerable children, including migrant and disabled children, and “safety nets” within the local community would be provided.⁷⁸ *The Social Crisis Plan* includes 31 projects with the aim to provide protection and assistance to children.⁷⁹ According to the report, children born in families of low-income migrants may experience risks from birth up to four years, and this may be resolved by training the family in parenting techniques, among other efforts;⁸⁰ however, provisions for training migrant parents are not included in the report. Children who are accompanied by asylum seeking parents and whose parents have established an asylum application are assessed based on their parents’ claims, and during this process, appropriate precautions are taken to ensure their well-being. When an unaccompanied child submits an asylum application, or it is assumed that the child wishes to be granted asylum, provisions related to the protection and assistance of the child exist to ensure a child-friendly procedure, including support in cases in which a legal representative is not available.⁸¹

According to the United Nations High Commissioner for Refugees (UNHCR), the number of asylum seekers has increased in the past years, from five in 2016, to 147 in 2017, 407 in 2018 and 406 in 2019.⁸² Although Aruba, through the Kingdom of the Netherlands, has signed on to the United Nations *1951 Convention relating to the Status of Refugees* and its 1967 Protocol, the island has not established legislation to enforce these international obligations; however, the government has identified this as a need and expressed its intention to establish and implement a refugee law in the near future. Meanwhile, in response to the increase of asylum applications from predominantly Venezuelan migrants, the government formed the Asylum Action Team, located in the Ministry of Justice, Security and Integration, to handle asylum procedures and carry out refugee status determination. According to UNHCR and IOM Aruba, they support the government with technical advice, trainings, materials, information and other resources that could help them respond to Venezuelans who continue to reach the island in search of better living circumstances. Key officials from UNCHR have identified the need to allow asylum seekers to work during their refugee status determination process in order for them to be independent and simultaneously contribute to the economy of the island.

The *Penal Code* (*Wetboek van Strafrecht*, Art. 2:239 and 2:240) criminalizes sex and labour trafficking. Persons are liable to a fine of between AWG 25,000/USD 14,000 and AWG 100,000/USD 55,866 or to imprisonment from four up to 15 years, depending on the type of trafficking offence.⁸³ An inter-ministerial and interdisciplinary task force dedicated to eliminating human trafficking was set up to develop national plans such as the recent *National Anti-Trafficking Action Plan 2018-2022*.⁸⁴ In 2009, Aruba signed a memorandum of understanding with the other countries within the Kingdom of the Netherlands, which assisted the progress of cooperation and support, such as sharing expertise in victim identification and assistance.⁸⁵

Furthermore, a hotline to combat human trafficking has been installed, awareness campaigns have been implemented for the island’s residents and victims of human trafficking, and an entity for the revision of information on possible causes of human trafficking has been established. To improve the existing referral mechanism and make it clearer and more comprehensive, IOM Aruba is supporting the Government of Aruba on the development of a standard referral procedure for the identification, referral and assistance of victims of human trafficking. Currently, no specialized shelter exists for victims of trafficking. Aruban authorities place unaccompanied child victims in foster care centres, homes, or local churches, and risk assessments are conducted before deciding where to place a victim and whether they can be unchaperoned.⁸⁶ In 2021, a shelter for victims of human trafficking comprising 20 beds is expected to be built and completed. Nevertheless, according to IOM Aruba, the Government of Aruba has expressed the need for training to improve the protection and assistance of victims of trafficking and unaccompanied children. The number of victims identified in Aruba has decreased significantly from 71 in 2017, to two in 2018, and zero in 2019. Law enforcement and social services officials are provided with a checklist of common trafficking indicators by the anti-trafficking task force.⁸⁷

In 2019, Aruba hosted the largest number of displaced Venezuelans relative to its national population compared to any other country in the world, with 156 Venezuelan migrants per 1,000 citizens.⁸⁸ The number of displaced Venezuelans on the island has increased from approximately 16,602 in 2019, to an estimated 17,000 in 2020.⁸⁹ Although there are no formal provisions for the protection and assistance of displaced people, partners from the Response for Venezuela (RV4) coordination platform and other organizations, such as the

78 Kingdom of the Netherlands, 2020.

79 Government of Aruba, 2017.

80 Ibid.

81 Government of the Netherlands, 2020.

82 For more information, please see: www.unhcr.org/refugee-statistics/download/?url=E1ZxP4.

83 Government of Aruba, 2020.

84 US Department of State, 2018.

85 Law Enforcement Council, 2019.

86 US Department of State, 2020.

87 Ibid.

88 UNCHR, 2018.

89 UNCHR, 2020.

Red Cross Aruba, work together with the government to help respond to the needs of these migrants.⁹⁰

As for returnees, Aruban residents with Venezuelan nationality were supported by the Representation of the Netherlands in the Bolivarian Republic of Venezuela to return to the island through repatriation flights. However, there are no formal provisions for the protection and assistance of returnees.

MIGRANT PROTECTION AND ASSISTANCE INFRASTRUCTURE

Institutions for the protection and assistance of migrants	✓	Victim Assistance Bureau and the Center on Human Trafficking and Migrant Smuggling
Provisions on migrants or migration status included in anti-discrimination legislation	✗	
Formal provisions on migrants included in policies and programming for the protection and assistance of women	✗	
Formal provisions on migrants included in policies and programming for the protection and assistance of children	✓	During asylum procedures
Formal provisions for the protection and assistance of asylum-seekers and refugees	✓	
Specific legislation to combat trafficking in persons	—	Penal Code (Arts. 2:229 and 2:240)
Formal provisions for the protection and assistance of returnees	✗	

RELEVANT INTERNATIONAL TREATIES⁹¹

Convention or treaty		Year of ratification
<i>International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families</i>	✗	
<i>Domestic Workers Convention (No. 189)</i>	✗	
<i>Convention on the Rights of Persons with Disabilities</i>	✓	2016
<i>International Convention on the Rights of the Child</i>	✓	1995
<i>Convention on the Elimination of All Forms of Discrimination against Women</i>	✓	1991
<i>1951 Convention Relating to the Status of Refugees</i>	✓	1956
<i>1967 Protocol Relating to the Status of Refugees</i>	✓	1986
<i>Additional Protocol to the United Nations Convention against Transnational Organized Crime to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children</i>	✓	2007

⁹⁰ Ibid.

⁹¹ All treaties were signed by the Kingdom of the Netherlands. For more information please see:

www.treatydatabase.overheid.nl/

MIGRANT PROTECTION AND ASSISTANCE



Provisions to protect all migrants

- The *Constitution of Aruba* prohibits discrimination based on nationality and social status; however, it does not include migration status.



Vulnerable groups

- The Victim Assistance Bureau and the Center on Human Trafficking and Migrant Smuggling are the primary government agencies responsible for the assistance and care to all migrants and victims of trafficking.
- Migrants are not specifically included in policies and programming for the support and assistance of women or children, and there is no provision for the support of returnees.
- There is no anti-discrimination legislation protecting LGBTIQ+ people and people living with HIV, which leaves LGBTIQ+ migrants and HIV-positive migrants in Aruba in a vulnerable position.



Refugees and asylum seekers

- In 2018, Aruba had 407 pending asylum seeker cases and hosted 15,602 displaced Venezuelans.
- Aruba has signed on to the United Nations *1951 Refugee Convention* and its 1967 Protocol; however, no legislation has been established.
- The Asylum Action Team carries out refugee status determination.
- Aruban authorities place unaccompanied child victims in foster care centres, homes, or local churches, and risk assessments are conducted before deciding where to place a victim and whether they can be unchaperoned.



Victims of trafficking in persons

- The *Penal Code* criminalizes sex trafficking and labour trafficking.
- In 2009, Aruba signed a memorandum of understanding which achieved distinct forms of cooperation and support, such as sharing expertise and facilitating training for Aruba's government in victim identification and assistance.
- An improved standard operating procedure for the identification, referral and assistance of victims of human trafficking is being developed by IOM Aruba and the Center on Human Trafficking and Migrant Smuggling.
- Unaccompanied child victims are placed in foster care centres, homes, or local churches and risk assessments are conducted before deciding where to place a victim.
- Recognized victims of trafficking or victims, with or without legal status, may receive assistance from the and the Center on Human Trafficking and Migrant Smuggling including legal advice, medical services, social assistance, shelter.



Returnees

- The Representation of the Netherlands in the Bolivarian Republic of Venezuela supported Aruban residents with Venezuelan nationality to return to the island through repatriation flights.

MAIN NEEDS IDENTIFIED THE GOVERNMENT

- Identify vulnerable migrant groups on the island and the reasons for their vulnerability.
- Increase cohesion in government programmes with regard to the assistance of vulnerable migrants.
- Strengthen collaboration between government agencies regarding the assistance of vulnerable migrants.
- Establish a national policy and plan of action regarding the assistance of vulnerable migrants.
- Create a comprehensive government system for the identification of vulnerable migrants in irregular status.
- Establish and implement a refugee law.

MAIN NEEDS IDENTIFIED BY IOM

- Consider ratifying the *International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families and Domestic Workers Convention (No. 189)*.
- Update anti-discrimination legislation to include migration status.
- Create and implement a refugee law in accordance with the United Nations *1951 Refugee Convention* and its 1967 Protocol.
- Create specific provisions to protect particular migrant groups in conditions of vulnerability to ensure they have access to existing protection regardless of migration status.
- Conduct research on vulnerable migrant groups, including migrants in irregular status, vulnerable male migrants and underage migrants not accessing school to inform the establishment of protocols for these vulnerable groups.
- Clarify the roles of the civil society organizations and government agencies involved in the protection and assistance of migrants.
- Establish government structures that cater to both the local and migrant population.
- Create awareness campaigns to counter xenophobic attitudes that may exist in the local community and government agencies.
- Create public services for the protection and assistance of LGBTIQ+ people, including migrants, on the island.
- Allow asylum seekers to work during the refugee determination process for them to remain independent and simultaneously contribute to the economy of the island.

MIGRATION MANAGEMENT IN SITUATIONS OF EMERGENCIES AND DISASTERS

This section offers an overview of the different institutions, laws, regulations and national plans that exist in Aruba for the management of emergencies and disasters, emphasizing to what extent the migration perspective is incorporated.

The *Emergency Ordinance (Calamiteitenverordening, AB 1989 no. 51, last amended in AB 2014 no. 11)* establishes, among other issues, the roles and responsibilities for disaster risk management in Aruba.⁹² It mandates the Minister of General Affairs with the supreme command of emergency management, supported by the Council for Disaster Response. The Council comprises 10 members, including government or non-governmental stakeholders, who take on an advisory role with regard to: a) measures to prevent disasters and prepare for disaster relief; b) the development or modernization of disaster management plans; and d) the mitigation of and response to disasters.⁹³ The Emergency Ordinance also provides the framework under which the *Crisis Management Plan (Crisis Beheersingsplan)* was produced in 2018.⁹⁴ Although provisions for migrants are not included in the Plan, it does stipulate the responsibilities of the Department of Social Affairs (*Departamento di Asunto Social*) of the Ministry of Social Affairs and Labour (*Ministerio di Asunto Social y Labor*) to provide care to all victims of emergencies and disasters.⁹⁵

The Crisis Management Office (*Bureau Rampenbestrijding Aruba* or BRA), located in the Ministry of General Affairs, is tasked with emergency management and disaster response to ensure the overall safety of life and health of the community, environment and economy of the island;⁹⁶ including migrants regardless of status. As stated by the BRA, the Aruba Incident Management System (AIMS) is a national horizontal crisis management system of government and non-government institutions working together on the same level during disaster response. Through the *Royal Decree (Koninklijk Besluit van 3 juli 1987 houdende Aanwijzingen inzake de inzet van de krijgsmacht in Aruba, Curaçao en Sint Maarten)*⁹⁷ and the *Coast Guard Act (Rijkswet kustwacht voor Aruba, Curaçao en Sint Maarten alsmede voor de openbare lichamen BES)*,⁹⁸ the Government of Aruba may also employ armed forces of the

Netherlands as well as the Dutch Caribbean Coast Guard (*Kustwacht Caribisch Gebied, KWCARIB*) for assistance in matters of disaster response, national security and public order.

According to the BRA, several plans for disaster risk management have been established, including the management plan regarding the large-scale population movements from the Bolivarian Republic of Venezuela to Aruba in 2018, and the disaster risk management plan in response to the COVID-19 health emergency in 2020. Within these plans, the BRA expressed the need to clarify the roles and responsibilities of authorities towards different populations on the island and include provisions for the protection and assistance of populations in situations of emergencies and disasters, divided into the following four groups: residents; migrants with permits between 6 and 10 years; migrants with permits between one and five years; and migrants in irregular status. In order to adequately cater to these groups, the BRA has additionally addressed the following needs: a) the establishment a migration policy; and b) the establishment of a clear and effective labour policy to ensure that the economic needs in times of emergencies are met. The Response for Venezuela (R4V) platform partners reached 2,495 Venezuelans in 2020, and provided them, among others, with access to food, health, education materials and non-food items.⁹⁹ Between March and February of 2021, medical care vouchers were provided to 88 migrants through the Hebrew Immigrant Aid Society (HIAS) in Aruba.¹⁰⁰ Migrants regardless of status were granted access by the government to COVID-19 testing and related treatments,¹⁰¹ and migrants in irregular status could register at HIAS to be able to get vaccinated.¹⁰² HIAS assisted migrants to the government's vaccination points; however, according to key officials of IOM Aruba, many migrants in irregular status were afraid to get vaccinated because of possible side effects.

IOM seeks to support States in responding to migrants' needs before, during and after crises and assist and protect most vulnerable mobile populations. The IOM *Migration Crisis Operational Framework (MCOF)*, adopted in 2012, is an operational and institution-wide

92 Government of Aruba, 2012.

93 Ibid.

94 Government of Aruba, 2018a.

95 Ibid.

96 Ibid.

97 Government of the Netherlands, 2010a.

98 Government of the Netherlands 2010b.

99 R4V, 2020.

100 UNHCR, 2021.

101 R4V, 2021a.

102 HIAS, 2021.

tool to improve and systematize the way in which IOM supports its Member States to better prepare for and respond to migration crises. The IOM Migrants in Countries in Crisis (MICIC) initiative, launched in 2014, provides guidelines and support for ensuring that migrants are included in crisis preparedness, emergency response and post-crisis action. Both of these frameworks are voluntary for States, and they are intended to address these issues while States review their policies inspired by the IOM and other international frameworks such as the *Sendai Framework*. Aruba, as part of the Associated Members in the Caribbean, participates in the implementation of the Sendai Framework where migrants and displaced people are recognized and protected.¹⁰³

Regarding data collection, the Research Department of the BRA collects information on population located in risk areas and the main needs of each region; its different sub-units are specialized in nature, digital, man-made or climate change threats. Furthermore, the Meteorological Department Aruba (*Departamento Meteorologico Aruba* or DMA) is responsible for the meteorological reporting of the island.¹⁰⁴

The island's national early warning system disseminates information in Spanish, Dutch, English and Papiamentu, which are the four prominent languages spoken on the island. In addition, a Chinese-speaking employee has been included in the operation of the system to help communicate to the Chinese migrant population living on the island. Information on the evolving nature of crises and how to access assistance, such as shelter facilities during a disaster and return processes after a disaster, is communicated to the public through newspapers, social media, radio and television broadcast. A public address system containing audio for broadcasting is also expected to be included, and in order to communicate disaster related information to the government, a telephone communication service has been established. Moreover, mechanisms such as the United States military Southern Command offer support to coordinate emergency and disaster management on the regional and international level when needed. Nevertheless, in order to reach the whole Caribbean region, officials from the BRA have identified the need to include the French language in its early warning system to communicate with the French-speaking countries of the Caribbean.

Although Aruba, through the Kingdom of the Netherlands, has not yet ratified the *United Nations Framework Convention on Climate Change* or the *Paris Agreement*, the island made important efforts to engage in discussions about, and adapt to, environmental changes. In 2018, the government co-organized the conference Climate and Security in the Caribbean Region: A Roadmap to Resilience which brought together experts, practitioners and policymakers to discuss climate change and its effect on security across the Caribbean region.¹⁰⁵

The 2019 *Energy Efficiency and Energy Diversification* report sets out the national framework and commitment to address climate change and environmental changes; however, it does not mention migration flows in relation to climate change.¹⁰⁶

INCLUSION OF THE MIGRATION PERSPECTIVE IN PLANS AND PROTOCOLS

Mechanism to include the migration perspective	—	2020 Draft Disaster Risk Management Plan
National risk and disaster management	—	2020 Draft Disaster Risk Management Plan
Early warning system	✓	Information is disseminated in Dutch, English, Papiamentu and Spanish and a Chinese-speaking volunteer can be allocated to communicate to the Chinese migrant population
Environmental changes	✗	Migratory movements are not considered in the <i>Energy Efficiency and Energy Diversification</i> report

RELEVANT INTERNATIONAL TREATIES¹⁰⁷

Convention or treaty		Year of ratification
<i>United Nations Framework Convention on Climate Change</i>	✗	
<i>Paris Agreement on Climate Change</i>	✗	
<i>Tampere Convention on the Provision of Telecommunication Resources for Disaster Mitigation and Disaster Relief Operations</i>	✓	2001
<i>Kyoto Protocol to the United Nations Framework Convention on Climate Change</i>	✗	

103 ACS, 2015.

104 Government of Aruba, n.d.b

105 Center for Climate and Security, 2019.

106 Government of Aruba, 2019a.

107 All treaties were signed by the Kingdom of the Netherlands. For more information please see: www.treatydatabase.overheid.nl/

MIGRATION MANAGEMENT IN SITUATIONS OF EMERGENCIES AND DISASTERS



Emergency and risk management

- The Crisis Management Office is the primary agency responsible for disaster risk management in Aruba.
- The Aruba Incident Management System is a national horizontal crisis management system of government and non-government institutions working together on the same level during disaster response.
- The *Crisis Management Plan* does not include specific provisions for migrants.



Early warning systems

- The island's national early warning system includes information in Spanish, Dutch, English and Papiamentu.
- A Chinese-speaking employee is included in the system to help communicate to the Chinese migrant population living on the island.
- Information is disseminated to the public through newspapers, social media, radio and television broadcast.
- The public can communicate emergency information through a telephone communication system.



COVID-19 emergency response

- A policy plan for the COVID-19 emergency response has been developed in 2020, and the specific needs of migrants are taken into account.
- In 2020, partners of the Response for Venezuela coordination platform provided 2,495 Venezuelans with access to food, health, education materials and non-food items.
- At the beginning of 2021, medical care vouchers were provided to 88 migrants through the Hebrew Immigrant Aid Society.
- Migrants, regardless of status, may receive COVID-19 testing and related treatments provided by the government and can register at the Hebrew Immigrant Aid Society to get vaccinated.



Strategies for mitigation and adaptation related to climate change

- The *Energy Efficiency and Energy Diversification Report* provides the national framework and commitment to address environmental changes; however, migration flows in relation to climate change are not mentioned.

MAIN NEEDS IDENTIFIED BY THE GOVERNMENT

- Establish a migration policy and include the component of disaster prevention.
- Establish a clear and effective labour policy to ensure that the economic needs of migrants are met in times of emergencies and that government agencies responsible for disaster risk management are aware of their mandate.
- Include provisions for the protection and assistance of migrant populations in situations of emergencies and disasters in the COVID-19 policy plan.
- Include French language in the early warning system to communicate with the French-speaking countries of the Caribbean.

MAIN NEEDS IDENTIFIED BY IOM

- Consider discussing the ratification of the Kingdom of the Netherlands to the *United Nations Framework Convention on Climate Change*, the *Paris Agreement on Climate Change*, and the *Kyoto Protocol to the United Nations Framework Convention on Climate Change* with the Government of the Netherlands.
- Establish a migration policy and include the component of disaster provision to reduce impact and response in crisis mitigation measures for affected migrants, including mobile migrants, and incorporate the MCOF analytical lens through sectors of disaster response and assistance.
- Create a comprehensive labour policy to ensure that the economic needs of migrants are met by incorporating some guidelines of the MICIC in times of emergency and post emergency.
- Update the *Crisis Management Plan* and other documents related to climate change to include specific provisions that effectively address the needs of migrants in situations of vulnerability during natural hazards, allowing for inclusivity based on humanitarian needs and principles.
- Consider an analysis of the impact of climate change on livelihoods of migrants and its potential impact on human mobility.

MIGRATION AND HEALTH

The following section describes the healthcare system in relation to the integration of the migrant population and analyses the level of inclusion of the migrant perspective in the different policies, guidelines, practices and programmes related to health in Aruba.

The Department of Public Health (*Directie Volksgezondheid*), located in the Ministry of Tourism, Public Health and Sport, is mandated through the Health Ordinance (*Gezondheidsverordening, AB 1989, last amended in AB 2000 no. 101*), with governance and policy development of the health-care system in Aruba.¹⁰⁸ There are three main medical facilities offering primary and secondary care: the Dr Horacio Oduber Hospital (HOH), which functions as the island's general hospital in the capital, Oranjestad; the private Urgent Care Clinic in the northern part of the island; and the Instituto Medical San Nicolas (ImSan) in the city of San Nicolas at the southern part of the island, which functions as a self-contained, comprehensive national centre for outpatient care focusing on noncommunicable diseases. Additionally, the Mental Health Care Foundation and Social Psychiatric Service (*Sociaal Psychiatrische Dienst* or *SPD*) are the two institutions responsible for psychiatric care. Moreover, as most tertiary care must be obtained outside of the country, agreements have been established with selected tertiary referral hospitals in Bonaire, Colombia, Curaçao and the Netherlands, through the General Health Insurance agency (*Algemene Zieke Verzekering* or *AZV*). There is no formal mechanism to provide interpretation services to migrants, and interpretation largely relies on the language capacity of the staff, which mostly includes the Papiamentu, Dutch, English, and Spanish language.

In 2018, the Department of Public Health published the *Health Study Aruba 2016-2017* (*Gezondheidsonderzoek Aruba 2016-2017*) on the general health of the Aruban population. Of the 869 participants, 570 were born in Aruba, followed by 94 in Colombia, 43 in the Dominican Republic, 36 in the Netherlands, 28 in the Bolivarian Republic of Venezuela, 24 in Curaçao, and 74 in other countries or unknown.¹⁰⁹ Though this health data may be disaggregated by country of birth, nationality, level of education, and income, it only includes

information disaggregated by age, sex and district. Other health studies such as the *Health Monitor 2013*¹¹⁰ and the *Health National Account Aruba 2015*,¹¹¹ do not include data on the health of migrants; thus, no data collection is conducted to determine migrants' access to the public health system. In absence of preventive government programmes to help monitor the health of migrants, IOM Aruba has developed a health campaign for migrants to undergo medical check-ups in order to guide the creation of health strategies targeted at migrant populations.

According to the *National Health Account Aruba 2015*, Aruba spent 10 per cent of the GDP on health in 2015, which is 21.4 per cent more than in 2007, due to its growing population.¹¹² The Ministry of Tourism, Public Health and Sport and the Ministry of Social Affairs and Labour fund government institutions and some foundations involved in the health-care sector of the island that mainly work in the curative care sector. The majority of health care is financed by public funds, collected via social premiums from employees and employers and from taxes, which for a big part are managed by the AZV through the *General Health Insurance Ordinance* (*Landsverordening algemene ziektekostenverzekering, AB 1992 no.18, last amended in AB 2018 no. 34*).¹¹³ Out-of-pocket expenditures and private health insurance policies play a very small role in the financing of health care in Aruba.¹¹⁴ Migrants who are registered on the island and thus in regular status are covered by the AZV; however, migrants in irregular status are not covered, and as a result, they only have access to emergency care provided by the government. In 2020, as reported by the inter-agency coordination platform, Response for Venezuela (R4V), many Venezuelans did not have access to the national health system in Aruba.¹¹⁵ Nevertheless, migrants regardless of status were granted access to COVID-19 testing and related treatments,¹¹⁶ and migrants in irregular status could get registered at the Hebrew Immigrant Aid Society (HIAS) Aruba to get vaccinated.¹¹⁷

Migrants have access to mental health care through the AZV insurance. *The Health Study Aruba 2016-2017* shows that, 11 per cent of the participants had a need for professional mental help, and of those in need, 93 per cent had already sought help through a psychologist (64 per cent),

108 Government of Aruba, 2000.

109 Government of Aruba, 2018c.

110 Government of Aruba, 2013.

111 Government of Aruba, 2019b.

112 Government of Aruba, 2019b.

113 Government of Aruba, 2018d.

114 Government of Aruba, 2019b.

115 R4V, 2020.

116 R4V, 2021b.

117 HIAS, 2021.

psychiatrist (27 per cent) or social worker (nine per cent).¹¹⁸ Notwithstanding this, migrants in irregular status, who may face greater vulnerabilities and challenges, do not have access to public psychiatric care and may not receive immediate help. Currently, this gap is filled by HIAS Aruba through the Community-based Mental Health and Psychosocial Support programme that helps identify emotional distress in migrant children and adults resulting from crisis, and how to respond to this distress.¹¹⁹ It offers community and peer support groups and provides migrants, regardless of status, with access to appropriate mental health and psychosocial care through referral mechanisms. According to key officials from HIAS Aruba, although no formal structures have been developed, the Mental Health Care Foundation is open to referral pathways of irregular migrants in need of mental care, and there has been one successful case thus far of an irregular migrant accessing the foundation. Moreover, partners of the R4V coordination platform provided capacity building on Mental Health and Psychosocial Support to 16 frontline service providers, at the beginning of 2020.¹²⁰

The prevalence of HIV on the island increased between 2010 and 2015. In a study published on persons living with HIV who received resistance testing during this period in Aruba, 86 per cent were men, and 39 per cent were born in foreign countries, including Colombia (14.4 per cent), the Bolivarian Republic of Venezuela (4.8 per cent), and the Netherlands (4.8 per cent).¹²¹ Although no national plan has been developed in recent years, the *National Strategic Plan Expanded Response to HIV/AIDS for Aruba 2003–2007* states that, among other, commercial sex workers and migrant workers without stable family relationships are the most vulnerable HIV/AIDS groups on the island.¹²² One of the expected results of the report was to strengthen the “capacity of the National AIDS Programmes in Aruba to develop, implement and evaluate prevention, behavioural and communication interventions targeting vulnerable populations,” including immigrant populations,¹²³ however no formal protocols have been established as of yet. Currently, the HOH is the only institute that provides HIV therapy on the island, and the Contagious Diseases Services, located in the Department of Public Health, keeps all records of HIV/AIDS cases and monitors infected persons on a yearly basis.¹²⁴ Additionally, as stated in a 2008 report of the United Nations General Assembly Special Succession (UNGASS) on HIV/AIDS, a government programme existed for female commercial sex workers, predominantly from Colombia, which includes the dissemination of information on sexual transmitted diseases.¹²⁵ As noted by IOM Aruba, persons living with HIV are often subjected to discrimination on the island; migrants are rejected a permit when tested positive for HIV on the required health test, and many persons living with HIV do not have access to daily medicines and treatments. According to key informants of HIAS Aruba, since its establishment, HIAS Aruba has received referrals from the Department of Public

MIGRANTS' ACCESS TO HEALTH CARE

Access to primary care services	✓	With the national basic health insurance
Access to secondary care services	✓	With the national basic health insurance
Access to psychosocial care	✓	With the national basic health insurance; however, informal structures exist for migrants in irregular status
Access to post-exposure prophylaxis treatment	✓	
Access to the national plan to combat HIV/AIDS	✓	With the national basic health insurance; however, informal structures exist for migrants in irregular status
Access to interpretation and translation services	—	

RELEVANT INTERNATIONAL TREATIES¹²⁸

Convention or treaty		Year of ratification
<i>Constitution of the World Health Organization</i>	✓	1977
<i>International Health Regulations (IHR)</i>	✓	
<i>Resolution on the health of migrants (WHA 61.17)</i>	✓	2008
<i>International Convention on the Rights of the Child</i>	✓	1995
<i>Convention on the Elimination of All Forms of Discrimination against Women</i>	✓	1991
<i>International Covenant on Economic Social and Cultural Rights</i>	✓	1978

118 Government of Aruba, 2018c.

119 HIAS, 2019.

120 R4V, 2020.

121 Hofstra et. al, 2017.

122 World Bank, 2008.

123 Ibid.

124 UNGASS AIDS/HIV, 2008.

125 Ibid.

123 All treaties were signed by the Kingdom of the Netherlands. For more information please see: www.treatydatabase.overheid.nl/

Health of LGBTIQ+ migrants living with HIV/AIDS that did not have access to public services and received informal medical check-ups. In order for this population to receive equal formal treatment, and to, more broadly, prevent a national HIV health crisis, the HIAS Aruba expressed the need for a more sustainable solution for all migrants to access public HIV/AIDS treatment.

In 2015, the Government of the Netherlands, Curaçao, Aruba and Sint Maarten signed an agreement for the cooperation in the implementation and maintenance of the International Health Regulations (IHR).¹²⁶ The mutual arrangement creates a partnership, in a network form, between the public health services of the countries of Aruba, Curaçao, Sint Maarten and the Netherlands, including the public entities Bonaire, Sint Eustatius and Saba. The Center for Infectious Disease Control of the National Institute for Public Health and the Environment acts as a coordinating member of the created network of IHR experts.¹²⁷ Health-care professionals have not received formal training on the main health needs of migrants.

MIGRATION AND HEALTH



Health-care system

- Aruba has two psychiatric facilities, two hospitals and one medical clinic that providing primary and secondary care.
- Most tertiary care must be obtained outside of the country and agreements have been established with selected tertiary referral hospitals in Bonaire, Colombia, Curaçao, and the Netherlands.
- There is no formal mechanism to provide interpretation services to migrants, and interpretation largely relies on the language capacity of the staff.



Protocols and guidelines

- Migrants are not included in national protocols regarding health.
- There is no action plan or protocol specific to general migrant care.
- IOM Aruba has developed a health campaign for migrants to undergo medical check-ups in order to guide the creation of health strategies targeted at migrant populations.
- In light of the COVID-19 health emergency, migrants regardless of status were granted access to COVID-19 testing and related treatments, and migrants in irregular status could registered at the Hebrew Immigrant Aid Society Aruba to get vaccinated.

126 Kingdom of the Netherlands, 2015.

127 Ibid.



Training

- Health-care professionals have not received formal training on the main health needs of migrants.



Mental health services

- Migrants with a General Health Insurance may access mental health services.
- The Community-based Mental Health and Psychosocial Support programme of HIAS Aruba helps identify emotional distress in migrant children and adults resulting from crisis, and how to respond to this distress.
- HIAS Aruba provides migrants regardless of status with access to appropriate mental health and psychosocial care through informal referral mechanisms.



Data collection

- No data collection is conducted to determine migrants' access to the public health system.

MAIN NEEDS IDENTIFIED BY IOM AND OTHER AGENCIES¹²⁹

- Update the National Health Account Aruba 2015 to include migrant-related issues such as access to health.
- Implement provisions in legislation or protocols that specifically clarify and address the health needs of migrant populations to advocate for inclusion of migrants in the existing national protocols.
- Include migrant related variables in regular health data collection instruments.
- Create health campaigns to target migrant populations.
- Train health officials on health vulnerabilities of migrants and their particular needs of access.
- Develop and implement a mental health and psychosocial support plan for migrants, including subsequent protocols and formal referral mechanisms.
- Update the National Strategic Plan Expanded Response to HIV/AIDS for Aruba 2003–2007 to include provisions for migrants with HIV/AIDS and create formal mechanisms for migrants, regardless of status, to receive proper treatment.

¹²⁴ Due to the global emergency surrounding COVID-19 during the primary data collection, access to government health officials was limited, and, as a consequence, the information included in this chapter comes mainly from other government officials and health stakeholders.

LABOUR MIGRATION AND HUMAN DEVELOPMENT

This chapter is divided into two subsections: a) labour migration, which briefly presents a panoramic view of labour migration in the country, as well as the relevant systems to manage labour migration governance; and b) human development, which describes the extent to which the migration perspective is mainstreamed in national development policies, strategies incorporating the diaspora into the socioeconomic development of the country and how remittances contribute to local development and migrant families.

LABOUR MIGRATION

Historically, migrants have played a central role in the economic development of Aruba, especially during the opening of the oil industry between the 1920s and the 1960s, and during the boom of the tourist industry in the late 1980s to the early 2000s.¹³⁰ Currently, the island is undergoing an extensive hotel development as it expects six new hotels to be constructed by 2022. As this development is expected to increase the need for workers, including migrant workers, the Aruba Hotel and Tourist Association (AHATA) expressed the need for collaboration between the government and the private sector to develop a comprehensive migration policy to help guide these anticipated flows.¹³¹ The Department of Labour and Research (*Directie Arbeid en Onderzoek* or DAO) under the Ministry of Social Affairs and Labour (*Ministerie van Sociale Zaken en Arbeid*) is mandated with the development of labour legislation and labour policy in Aruba.¹³² The 2018 *Labour Participation Policy Aruba* (*Beleid Arbeidsparticipatie Aruba*) of the Department of Labour Progress (*Departamento di Progreso Laboral* or DPL) gives priority to the local labour supply and aims to increase the local labour participation.¹³³ Nevertheless, as the island continues to strive towards a skilled economy, the *Labour Participation Policy Aruba* identifies the need to attract skilled migrants and develop a more clear, transparent and flexible policy for high-skilled migrants.¹³⁴

Work permit applications for the public and private sectors are processed by the Department for the Integration, Management and Admission of Foreign Nationals (*Departamento di Integracion, Maneho y Admision di Stranhero* or DIMAS) under the Ministry of Justice, Security and Integration (Ministerio di Husticia, Seguridad y Integracion). However, foreign nationals wishing to work in Aruba must first receive a positive work assessment from the DPL, in accordance with the *National Ordinance on Admission and Expulsion* (*Landsverondering toelating en uitzetting* (LTU), AB 1993 no. GT 33, last amended in AB 2021 no. 49)¹³⁵ and the admission policy in order to obtain a work permit from DIMAS. In this process, a director of a company must request that the DPL publish a vacancy, and the DPL assesses persons with a residence permit who can fill the labour gaps of the island. If these gaps are not filled within three weeks of the job being posted to the public, the director may request for a migrant worker to fill the position. In exceptional cases, the admission of foreign nationals does not have to be assessed, and the request for a work or residence permit on behalf of these nationals may be directly submitted to DIMAS after receiving a notification letter from DPL. Migrants who are exempted from the general labour policy include, among others: a) foreign nationals with a legal residence of at least five consecutive years and who have successfully passed the required labour market assessment five times; b) qualified hospital staff of other countries due to shortages in hospital workers on the island as stipulated in the *National Ordinance for the Practice of Medicine* (*Landsverordening uitoefening geneeskunde*, AB 1996 no GT. 50); c) the spouse of a European Dutch national sent to work for the government or government-subsidized (educational) d) foreign nationals who have lived in Aruba for at least five consecutive years in the context of family reunification and have had legal residence in Aruba and one of the parents has a residence permit or has obtained Dutch nationality; and e) foreign sports coaches and athletes, who will work a maximum of four years in Aruba in the interest of sports, of which the permit is specifically for the sports organization hiring the athletes and coaches.¹³⁶

130 SER Aruba, 2019.

131 Forbes, 2020.

132 Government of Aruba, n.d.g

133 Government of Aruba, 2018a.

134 Ibid.

135 Government of Aruba, 2021c.

136 Government of Aruba, 2018a.

Work permits are exclusively linked to an employer and intended for a specific position in the public and private sectors, and employers must apply for the permits through DIMAS. Employers who wish to take over a foreign worker requiring admission or have already employed foreign workers and wish to extend their temporary stay permit, can obtain the proper permit at the Department Job Centre of the DPL.¹³⁷ Obtaining renewals for work permits often depends on the sector in which the migrant works. Aruba's labour market consists of primary sectors with long-term contracts and secondary sectors with low-paid and often unstable jobs. The secondary sectors, such as construction and manufacturing, are further divided into the formal and informal sector, and migrants recruited in the secondary sectors often fill the lowest positions available. Workers in the informal sector are employed by private people rather than by registered firms or institutions and depend on their employer for housing. Moreover, they will likely not meet requirements for family reunification or formation unless they find work in the formal sector.¹³⁸

Whilst visiting Aruba as a tourist, foreign nationals are not allowed to be involved in paid employment by an Aruban employer; however, nationals from the United States of America who are self-employed or employed by a company in their home country may apply for the "One Happy Workation" programme which includes special accommodation packages such as special rates and allows them to work remotely in Aruba for a period of 90 days.¹³⁹ Moreover, business owners are required to fulfil certain conditions to acquire a residence permit at DIMAS, in accordance with the LTU, before starting a business on the island.¹⁴⁰ The greatest number of firms registered at the Chamber of Commerce (*Camara di Comercio y Industria Aruba*) are financial and insurance activities (11,717), wholesale and retail trade (11,411), accommodation and food services (5,100), and construction (5,050).¹⁴¹ The largest trade union, the Federation of Aruban Employees (*Federacion di Trahadornan*), has more than 4,000 members and focuses on the interests of employees of several industries and sectors.¹⁴² Migrants have the right to join trade unions.

Aruba is one of the most tourism-dependent economies in the world, with the sector contributing approximately 90 per cent of the GDP, and creating 89 per cent of the island's labour opportunities;¹⁴³ however, in practice, it is difficult to find qualified personnel, which is why labour migration remains essential to the island. In light of the COVID-19 pandemic,

international tourist arrivals dropped by 67 per cent in 2020, which resulted in a loss of about 16 per cent of GDP.¹⁴⁴ Nevertheless, it is expected that Aruba's GDP will increase by 12 per cent in 2022 due to the return of tourism and investments, which are anticipated to rise to pre-pandemic status by 2024. According to the International Monetary Fund (IMF) a reformed labour market is crucial to better balance the labour market of Aruba, and ways to achieve this could be, among others, to diversify the economy and integrate migrants into the labour market. In addition, the labour market's growth estimates do not adequately cover the informal economy, which have likely grown since 2016 as a result of the increased migration flows from the Bolivarian Republic of Venezuela; these migrants primarily came to work in the island's informal economy due to their irregular status.¹⁴⁵ Given the limitations in documenting irregular migration, Aruba does not currently collect data on the number of migrants in irregular status participating in the labour market. Nevertheless, at the beginning of September 2020, Aruba participated in the *Integration of Venezuelan Migrants into Caribbean Labour Markets* workshop training from IOM in collaboration with other partners of the Response for Venezuelans (R4V) Program, and with participation from the UN High Commissioner for Refugees (UNHCR) and the International Labour Organization (ILO), which discussed practical ways to positively integrate these migrants into the labour market.¹⁴⁶

Labour market research is conducted by DAO; however, data is not disaggregated by nationality or country of birth.¹⁴⁷ The DAO is responsible for policy development and implementation, the supervision and management of emerging labour trends and developments, and adapting these policies to the need for labour workers.¹⁴⁸ As stated by DAO, the labour information system has been designed and is halfway finalized; meanwhile, available labour data are being prepared to be imported in the system. In order to improve data management on migration to inform a balanced labour market, these officials have expressed the following needs: a) complete the labour information system as a centralized data centre and include labour data available from DPL and DIMAS; b) improve the coordination mechanism between government institutions involved in labour management to strengthen labour policies and streamline labour information across these institutions; and c) human resources to conduct independent research on the labour market demand for immigrants

137 Ibid.

138 Croes, H., 2007.

139 For more information, please see www.aruba.com/us/one-happy-workation.

140 Chamber of Commerce and Industry Aruba, n.d.a.

141 Chamber of Commerce and Industry Aruba, n.d.b.

142 CESCR, 1997.

143 Government of Aruba, 2019d.

144 IMF, 2021

145 All treaties were signed by the Kingdom of the Netherlands. For more information please see: www.treatydatabase.overheid.nl/.

146 Ibid.

147 IOM, 2020.

148 Government of Aruba, n.d.d

149 Ibid.

According to the *Aruba Yellow Pages*, there are currently 15 recruitment agencies on the island.¹⁴⁹ Foreign nationals who are exempt from the LTU can be recruited to provide temporary employment services to third parties; however, the agency must have a written contract that both parties sign that states the temporary employee has been recruited, will be in temporary service of the agency's client, and contains information on who this client is.¹⁵⁰

The *Penal Code (Wetboek van Strafrecht, Art. 2:239)* criminalizes forced labour as a form of exploitation. Persons are liable to a fine of AWG 25,000/USD 14,040 to AWG 100,000/USD 56,180,¹⁵¹ or to imprisonment from eight to 15 years, depending on the type of forced labour offence.¹⁵² Having ratified the *Forced Labour Convention 1930 (No. 29)*, Aruba ensures the right to fair and favourable working conditions of employees through several statutory provisions such as the *Labour Regulation Ordinance (Arbeidsverordening, AB 2013 no. 14)*, *Labour Dispute Ordinance (Arbeidsgeschillenverordening, AB 1989 no. GT 65)*, and the *Minimum Wage Ordinance (Landsverordening minimumlonen, AB 1989 no. GT 26)*.¹⁵³ DAO is responsible for labour inspections to protect workers and promote their working conditions, including migrants.¹⁵⁴

Migrant workers, who are registered at the Civil Registry Office, have a valid residency or work permit and are insured by the General Health Insurance (*Algemene Ziekenverzekering* or AZV) can access the national security scheme managed by the Social Insurance Bank (*Sociale Verzekeringsbank* or SVb). Aruba's minimum monthly wage in 2020 was 1,815.35 AWG/1,008.26 USD. Through individual or collective labour agreements, employers and employees are free to determine the salary as long as it complies with certain legal conditions, such as an equal to or higher wage than the legal minimum wage, including the agreed number of working hours and the amount preferably established in writing.¹⁵⁵ Currently, the Aruban pension age is 62.5, but it will be increased gradually to 65 in 2024, and the pension is negotiable if the employee switches employers on the island.¹⁵⁶ The SVb provides for the General Old Age Insurance (*Algemene Ouderdomsverzekering* or AOV) that guarantees a basic pension to retirees.¹⁵⁷ AOV is a collective old age pension of the Kingdom of the Netherlands that insures the portability of social security benefits for migrants within the Kingdom.¹⁵⁸

MIGRANT ACCESS TO THE LABOUR MARKET

Access to work in the private sector	✓	Migrants with a work permit have the same access as nationals
Access to work in the public sector	✓	Migrants with a work permit have the same access as nationals
Possibility of self-employment	✓	Migrants with a work permit have the same access as nationals
Shortage occupation list	✗	
Data collection on migrants accessing the labour market	✗	
Access to social security scheme	✓	Same as nationals

RELEVANT INTERNATIONAL TREATIES¹⁵⁹

Convention or treaty		Year ratified
<i>International Convention on the Rights of the Child</i>	✓	1995
<i>ILO Workmen's Compensation (Occupational Diseases) Convention, 1925 (No. 18)</i>	✗	
<i>ILO Convention on Migration for Employment (Revised, No. 97)</i>	✓	1952
<i>Complementary provisions of the ILO Convention on Migrant Workers (No.143)</i>	✗	
<i>Domestic Workers Convention (No. 189)</i>	✗	
<i>International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families</i>	✗	

149 Yellow Pages Aruba, 2021.

150 Government of Aruba, n.d.e

151 US Department of State, 2018.

152 US Department of State, 2020.

153 ILO, 2017.

154 Government of Aruba, n.d.k.

155 Government of Aruba, n.d.i

156 Government of Aruba, n.d.c

157 Ibid.

158 Government of the Netherlands, n.d.c

LABOUR MIGRATION



Labour migration

- The Department of Labour and Research is mandated with the development of labour legislation and labour policy.
- The Department for the Integration, Management and Admission of Foreign Nationals handles applications for work permits.
- The Department of Labour Progress is responsible for placing local job-seekers in the labour market; when a local is not able to fill the labour market, the head of a company may request approval to hire a migrant worker.



Access to labour markets

- Migrants have access to the private and public sectors with a valid work permit and work permits are exclusively linked to employers.
- There are no specific provisions or mechanisms to promote extensive integration of migrants into the labour market.



Labour agreements

- No agreements have been established with other countries pertaining to labour migration; however, some exceptions exist for certain migrant workers, such as hospital staff.
- When there are shortages in hospital workers on the island, qualified hospital staff of other countries may be recruited, as stipulated in the *National Ordinance for the Practice of Medicine*.



Data collection

- The Department of Labour and Research collects data on labour participation, but they are not disaggregated by nationality or country of birth.
- No information is currently collected by government on migrants with irregular status accessing labour market.



Forced labour

- The *Penal Code* criminalizes forced labour.
- The Department of Labour and Research conducts labour inspections to protect migrant workers and promote their wellbeing.



Access to social security

- Migrants with a valid work permit have access to the General Health Insurance scheme.
- Provisions for the portability of social security benefits have been established with the Netherlands.

MAIN NEEDS IDENTIFIED BY GOVERNMENT

- Establish mechanisms to attract skilled migrants and develop a clear and transparent policy for high-skilled migrants.
- Complete the labour information system, include labour data on migration available at other government institutions, and utilize the system as a centralized labour information mechanism.
- Improve the coordination mechanism between government institutions involved in labour to strengthen labour policies and streamline labour information across these institutions.
- Allocate human resources to conduct independent research on the labour market demand for immigrants.

MAIN NEEDS IDENTIFIED BY IOM

- Consider ratifying the *ILO Convention on Migration for Employment (Revised, No. 97)*, the *Domestic Workers Convention (No. 189)*, and the *International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families*.
- Adapt the labour policy and include provisions on the integration of migrants into the formal labour force, including migrants in irregular status.
- Implement systematic collection of data on migrants, specifically with regards to regular and migrants in irregular status.
- Develop monitoring mechanisms targeting labour migration to fill the gaps of the expected employment growth.
- Strengthen the national employment agency to lead the supply and demand of skilled and unskilled foreign labour in the country, ensuring the ethical recruitment of migrant workers.

HUMAN DEVELOPMENT

Aruba is considered a Small Island Developing State (SIDS) due to its economic dependency on few sources of income and its low-level resilience against natural disasters.¹⁶⁰ In 2015, the Government of Aruba established the Centre of Excellence (COE), with support from the Dutch Kingdom and the United Nations Development Programme (UNDP), as a platform to strengthen innovation and resilience among SIDS.¹⁶¹ To meet the Sustainable Development Goals (SDGs), Aruba is an Associate Member of the SIDS Accelerated Modalities of Action (SAMOA Pathway) – a global framework establishing intergovernmental partnerships to identify SIDS priorities in the formulation of international development goals.

In 2019, the Social Economic Council (SER) of Aruba organized the “Migration Symposium:” Migration and Socio-economic Development Policy, Challenges and Options, in collaboration with the SERs of Curaçao and Sint Maarten. As stated by the Councils, the Migration Symposium shed light on the demographics of the migrant population and their contribution to the socio-economic development of these islands.¹⁶²

Aruba's development goals are defined in the *National Integrated Strategic Plan 2010–2025 (Nos Aruba 2025)*, which includes migration as a point of focus due to its potential to contribute to population growth and defines policy for sustainable demographic developments.¹⁶³ The report identifies the need to stimulate the integration process of migrant labours as the “New Aruban” who are considered to contribute to the development of the economy. In 2025, Aruba aims to develop legislation to make immigration laws and policies more flexible; however, this legislation will only focus on skilled migrants and their families.¹⁶⁴ While the report is aligned with several SDGs, and migrant populations are outlined as essential contributors to the economic development of Aruba, it does not include provisions to address target 10.7 to “facilitate orderly, safe, and responsible migration and mobility of people, including through implementation of planned and well-managed migration policies.”¹⁶⁵

The *National Education Plan 2030 (Plan Educacion Nacional or Nationaal Onderwijsplan 2030)* focuses among others, on broadening access to education for migrants and on offering them entry-level programmes.¹⁶⁶ Additionally, according to the Hebrew Immigrant Aid Society

(HIAS) Aruba, an education working group has been established to discuss migrant children's access to schools on the island that includes the Ministry of Education, HIAS, UNHCR, and several school boards. The working group has estimated the registration of Venezuelan children in irregular status in schools at approximately 1,000 children. According to officials of the Ministry of General Affairs, due to a lack of: a) mandatory insurance needed to meet the administrative requirements; and b) the proficiency of the Dutch language, which is the official language of the education system, the educational system of Aruba may experience difficulties with migrant children in irregular status. Although education is compulsory for children ages four to 16 as stipulated in the *Compulsory Education Act (Leerplichtverordening, AB 2011 no. 82)*,¹⁶⁷ children are required to have insurance, and migrant children who do not have insurance cannot access education.

Many Spanish-speaking migrants also experience difficulties with the proficiency of the Dutch language, and due to the lack of a system to teach the Dutch language, these migrants can only access public schools until the age of nine. Nevertheless, in response to the COVID-19 pandemic in 2020, the Government of Aruba received funding from the Netherlands to finalize an online educational programme, partly financed by the Government of Aruba, targeted at Spanish-speaking migrants. Moreover, the Netherlands subsidizes a dedicated school for Spanish-speaking migrant children, named the Aruba Adventist Academy (*Stichting Onderwijs Adventist Sending Aruba*), located in the San Nicolas district. Children attending this school receive class in Spanish and follow a course that teaches them the English language and upon completion, these migrants are granted a diploma from the United States of America. However, officials from HIAS expressed concerns regarding the continuation and sustainability of the school and the transportation costs, which may be high for children traveling from their homes to the San Nicolas district.

To apply for the undergraduate programme at the University of Aruba, students must have a senior general secondary education (*hoger algemeen voortgezet onderwijs* or *havo*) or a university preparatory education (*voorbereidend wetenschappelijk onderwijs* or *vwo*) high school diploma. However, for the application for a master's programme, prospective students must

160 For more information, see: www.sustainabledevelopment.un.org/topics/sids/list.

161 United Nations, 2016.

162 SER Sint Maarten, 2019.

163 Government of Aruba, 2010.

164 Ibid.

165 SDG target 10.7 calls on countries to facilitate orderly, safe, regular, and responsible migration and mobility of people, including through implementation of planned and well-managed migration policies. This goal includes the indicator 10.7.2: Number of countries that have implemented well-managed migration policies.

166 Government of Aruba, 2019c.

167 Government of Aruba, 2011.

have an associate degree (*hoger beroeps onderwijs* or *hbo*). Depending on the student's chosen major, requirements may vary.¹⁶⁸ As stated by the University of Aruba, classes are provided in Dutch, English, and Papiamentu; furthermore, migrants are supported to learn the local language, Papiamentu. The University of Aruba also established exchange agreements with universities abroad to enable the exchange of students and staff.¹⁶⁹ In 2018, the Governments of Aruba and the Netherlands signed a cooperation protocol to stimulate studying in Aruba and the region. According to the terms of this protocol, the Netherlands makes annual funds available through the Stimulation Fund (*Stimuleringsfonds*).¹⁷⁰ For the period 2014 and 2020, the University also participated in the Erasmus+ programme allowing Aruban students to study at a university or college in a European country, with the exception of the Netherlands.¹⁷¹

In terms of housing, the Government of Aruba has established a special residence permit for migrants who want to live temporarily in Aruba as a pensioner or an interest-rate earner,¹⁷² and these migrants can buy properties on the island. Migrants who have obtained Dutch nationality are able to access social housing through the Social Housing Foundation (*Fundacion Cas pa Comunidad Arubano*). However, according to officials from IOM Aruba, migrants in irregular status do not have access to housing and are only provided with housing assistance by the HIAS, Red Cross Aruba, and in special cases, IOM. Particularly, Venezuelan migrants in irregular status continue to face challenges with shelter, as it is illegal to rent houses to migrants in irregular status.

In 2018, the District297 platform, led by the Aruba Futura Foundation, was established to encourage diaspora engagement and better reach Arubans abroad to engage and collaborate with Aruban businesses and institutions. Arubans living in the diaspora and companies can register on www.district297.com/ to stay updated on job or internship opportunities or possible new employees. The platform has various online events including webinars in regard to job hunting and an online forum in which different topics can be discussed.¹⁷³ Vacancies are provided for a range of experts including chefs, child physiotherapists, speech therapists, restaurant managers and registered nurses. In addition, the Government of Aruba engages with Arubans living in the diaspora through the House of Aruba (*Aruba Huis*) in the Netherlands.

Remittances contribute substantially to the Gross Domestic Product (GDP) of Aruba. In 2015, Aruba received USD 8,083,713.408 in remittances,¹⁷⁴ constituting approximately 0.3 per cent of Aruba's GDP.¹⁷⁵ In 2017, this number grew substantially to USD 56,140,340.158 (1.8 per cent of GDP) and dropped in 2018 to USD 36,920,295 (1.2 of GDP).¹⁷⁶

INCLUSION OF THE MIGRATION PERSPECTIVE IN PLANS AND PROTOCOLS

Human Development Index		No information available in the Human Development Index
Development strategy	✓	Action Plan 2010-2025
Development strategy in alignment with SDG target 10.7	✗	
Programmes to engage the diaspora in development strategies	✓	District297
Remittances in alignment with SDG target 10.c		No information available on the cost of sending and receiving remittances

168 University of Aruba, n.d.b

169 University of Aruba, n.d.a

170 Government of Aruba, n.d.h

171 University of Aruba, n.d.a.

172 Government of Aruba, 2021d.

173 Aruba Futura Foundation, n.d. For more information on District297 see: www.district297.com/.

174 World Bank, 2021b.

175 World Bank, 2021c.

176 World Bank, 2021b

HUMAN DEVELOPMENT



Mainstreaming migration into development strategies

- The *Action Plan 2010–2025* makes reference to the importance of stimulating the integration process of migrant labour workers as the “New Aruban” who are considered to be important contributors to the development of the economy.
- The document is in alignment with several SDGs targets but does not include provisions for target.



Diaspora engagement

- District297 was established to strengthen engagement with the diaspora.



Migrant inclusion in social development programmes

- Access to primary and secondary education is compulsory; however, children are only able to access education with a mandatory public or private insurance.



Remittances

- The number of remittances received have grown substantially since 2015, with USD 8,083,713.408 (0.3 per cent of GDP) to USD 36,920,295.448 (1.2 of per cent of GDP) in 2018.
- No information is available on the cost of sending and receiving remittances.

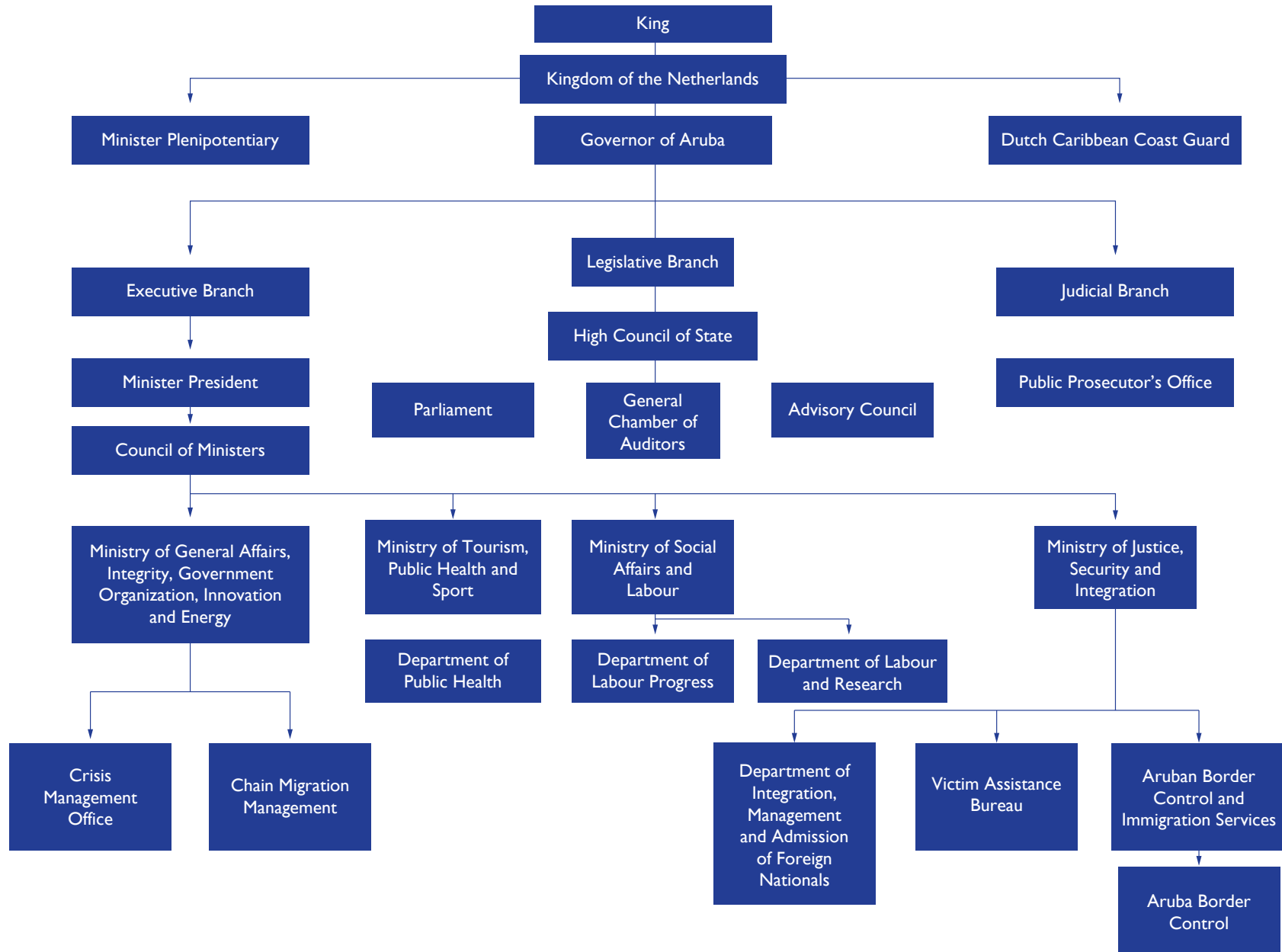
MAIN NEEDS IDENTIFIED BY THE GOVERNMENT

- Establish policies and protocols to stimulate the integration process of the migrant labour population.
- Develop legislation pertaining to labour migration of high-skilled migrants and their families to make immigration laws and policies more flexible.
- Improve the education system for local and migrant children.

MAIN NEEDS IDENTIFIED BY IOM

- Ensure the access of migrant populations to government social programmes.
- Ensure the universal access of education of all children, regardless of migration status.
- Support activities that provide support for migrants to facilitate social inclusion.

ORGANOGRAM



Disclaimer: This is not a complete organogram representing every part of the Government of Aruba. This organogram highlights the specific institutions that IOM has identified as key to migration governance.

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