

## **2021-2022 Anti-Trafficking Action Plan for Curacao**

Below please find actions taken with regard to the recommendations published in the Trafficking In Persons report of the year 2020.

- 1. Provide potential victims, including those who choose not to cooperate with law enforcement in cases against their traffickers, with services and legal alternatives to deportation, especially where victims face harm or abuse in their home country.**

The task force works within the framework of the prescribed laws of which the LTU, Article 3 ECHR and the so called legal integration are the most important.

Victims of trafficking in human persons have the option, if they want to cooperate with the criminal investigation, to be eligible for a temporary stay. Victims who do not want to cooperate with the criminal investigation always have the option to submit an application based on Article 3 ECHR. This option is always mentioned by the competent authorities to all trafficking victims. In the event that a victim of human trafficking is already in the position of a residency permit and this permit has expired, as a result of which the victim has ended up in illegality, the person in question can make use of the possibility of legal integration. The procedure to be able to make use of this arrangement is ongoing until December 2021.

- 2. Provide foreign victims access to health insurance, which victims must have to apply for temporary residency, and medical services.**

Victims of human trafficking who cooperate with the criminal investigation and who are supervised by the Victim Support Foundation are provided with a temporary residency permit in accordance with the decision of the Council of Ministers. A copy of the decision of the Council of Ministers has already been handed over to the consulate in 2019 with the answers of the TIP report provided by the Government.

Each application is submitted by the Victim Support Foundation. If the temporary stay is granted, the costs are reimbursed by the Government. In order to obtain a temporary residency permit, the person must be insured. The costs of the insurance are covered by the Ministry of Social Services and Labour.

Every victim of human trafficking who has received a temporary residency permit starting in 2019 to the present day was insured and the cost of the insurance was paid for in accordance with the decision of the Council of Ministers of 27 February 2019 (2018/050333, 2018/050291).

**3. Train detention center staff on victim identification procedures and routinely screen detained migrants for trafficking indicators.**

This question has been posted and is under consideration by the Government of the Netherlands.

Further training of detention center staff will be needed in the coming year(s) and for that reason a request for assistance will be sent/made to the US – among others – in the ongoing talks in this file with the US Consulate.

**4. Enforce the 30-day reflection period and refer victims to protection services without requiring them first to commit to assist a criminal investigation.**

The reflection period has been included in the Standard Operation Procedure approved by the Council of Ministers on the 20<sup>th</sup> of January 2021 (art number 2020/048267).

In this procedure a reflection period of 15 days is assumed. However, the reflection period of 15 days can be extended by another 15 days depending on the situation (providing shelter and protection).

A copy of the Standard Operation Procedure has been handed over to the Consulate General in January 2021 together with the submission of the questions of the TIP report (**Annex I**).

**5. Improve coordination and information-sharing with anti-trafficking counterparts across the Kingdom of the Netherlands.**

*Within the Kingdom:*

Item four on the Judicial Four-Party Consultation agenda prepared by the National Human Trafficking Coordinators which took place on 7 July 2021 has led to the following decision:

The Ministers of the Judicial Four-Party Consultation agreed upon that continued attention and commitment is required for a successful approach to human trafficking. The four countries will ensure attention and commitment from relevant ministries, services and organizations.

In addition, the Judicial Four-Party Consultation requests the country coordinators for human trafficking to draw up a proposal for improved cooperation between the countries and to embed these proposals in the next Memorandum of Understanding of cooperation to prevent and combat human trafficking and smuggling. The proposal will be discussed in the next meeting.

*Within Curacao:*

Whilst coordination and information sharing within the Kingdom of the Netherlands is important, investigation has shown that within Curacao, cooperation and information sharing needs to be improved as well. For that reason an inter-ministerial and interdisciplinary app group has been established in July 2021 through which all stakeholders (Ministry of General Affairs, Ministry of Labor and Social Affairs, Ministry of Justice, Ministry of Economic Development, Coastguard, Prosecutor's Office, Police, Victim's Assistance Foundation, Immigration, Interpol) that in one way or the other deal with trafficking victims a/o anyone involved in anti-trafficking activities can be connected to and with each other.

Through the app group all relevant stakeholders (policymakers, prosecution and implementation services) are connected with each other, but the app group is used as well to share new trends, news, to pose relevant questions and to ensure that every stakeholder is informed of what the other is doing. The aim is – in the end – to achieve a better (internal) cooperation and to enact better policies based on what is experienced in the field.

This same group convenes (as per August 2021) once a month with the sole purpose to better the procedures, processes and policies with regards to human trafficking, the prosecution thereof and victim assistance. The first sessions will be used to jointly go through all the recommendations from the last TIP report and after these sessions the following themes will be tackled:

- Communication (internal & external)
- Information collection and storage
- Policy (taking into account resources and preconditions, prioritization)
- implementation (training/teams)
- implementation: victim shelter/guidance
- Control (PDCA Cycle)
- Aftercare

Within the Region:

The government believes that part of tackling the broader topic of trafficking in persons is increasing cooperation and information sharing within the region as well. Sharing of best practices with neighboring countries that experience the same problems helps us, especially taking into account the limited resources we have available.

For that reason we have actively started engaging the (LAC) diplomatic community per January 2021 by making ourselves heard, stating the problem and asking for the sharing of best practices and exchange of information, and (further) training in the field of Human Trafficking and the problems that arise from/through the trafficking in persons.

These efforts will continue through 2022.

As per October 30<sup>th</sup> 2021 the following countries have been engaged with regards to this topic:

- Colombia;
- Norway;
- India;
- Venezuela (through the representative of Juan Guaidó);
- The Vatican;
- Brazil.

**6. Vigorously prosecute and convict traffickers, including complicit officials, sentencing them to significant prison terms.**

We refer to the report submitted by the Public Prosecution Service regarding the activities of the past period of 2021. A copy of the report is attached to this document(**Annex II**).

**7. Increase proactive victim identification among vulnerable populations, such as migrants and individuals in commercial sex.**

As a prevention measure, the taskforce Curacao launched the website Human trafficking prevention Curacao.com on July 30, 2021.

Coupled with the website is a facebook page. Radio and television interviews, and social awareness campaigns are posted on the facebook page. Further awareness campaigns will be conducted on the website

indicated as well. A budget has been made available for the next 3 years to conduct the awareness campaign.

**8. Disseminate standard operating procedures for victim identification and referral to law enforcement and detention facility staff and train officials on their use.**

This has been done in the past, is continuously ongoing and will be ongoing in the coming years as well. Our Standard Operating Procedures have been disseminated among officials and trainings both virtual as in person is a constant.

The need for trainings of our officials is continual and we appreciate the different trainings that are offered both through NGO's as through the Dutch and US Government.

**9. Provide specialized care and assistance for trafficking victims, including male victims.**

Special assistance is given to male victims in accordance with the guidelines from the SOP adopted by the Council of Ministers in January 2021 (**Annex I and III**). This has for instance also been the case in the Samario case.

**10. Allocate sufficient resources for anti-trafficking efforts, including protection services and funding for full implementation of the national anti-trafficking action plan.**

Resource allocation is currently extremely difficult . The Government's financial deficits are large and complex and the financial aid we receive from the Netherlands is subject to stringent conditions. The current action plan continues through December 31<sup>st</sup> 2021. We are currently working on a new Action plan for the coming years and budget allocation for that Action plan needs to be required urgently as well. Taking into account the financial constraints, it will be extremely necessary to receive financial aid from third party governments to be able to fully fund such action plan. We are currently discussing how to engage the Netherlands for structural (financial) aid in this matter. Furthermore the Task Force will do its utmost to discuss the problem of manpower and implementation through the triangular meeting in which the Minister of Justice, the Prosecutor General, the Chief

Public Prosecutor and the KPC participate. The Minister of Justice has presented the TIP report and the findings of the report of the Council of Law Enforcement to the Parliament to place this on the agenda for consideration.

**11. Provide targeted resources and training for local officials to conduct outreach to vulnerable communities through awareness campaigns on workers' rights, trafficking indicators, and available resources.**

A training is planned for the period November 2021. The training will take place in collaboration with IOM. The content of the training will focus on recognizing human trafficking. The training is intended for employees of Social Insurance Bank, the Tax Accountant Bureau Foundation, the Ministry of Social Development Labor and Welfare and the Curacao Police Force. The awareness campaign is currently being conducted via our website and Facebook.

<https://www.humantraffickingpreventioncuracao.com>