

Bonaire, St. Eustatius, and Saba

On October 10, 2010, the Kingdom of the Netherlands established a new constitutional structure under which the “Netherlands Antilles” ceased to exist as an entity within the Kingdom. As of that date, the BES islands became municipalities of the continental Netherlands. On September 27, 2010, the government adjusted the Criminal Code of the BES islands to reflect the new structure. The criminal code prohibits both sex and labor trafficking under Article 286f. The government reported this article is similar to the human trafficking article in the Netherlands’ criminal code, although prescribed penalties are lower, ranging from six to 15 years’ imprisonment. The BES islands are a transit and destination area for women and children subjected to trafficking, specifically forced prostitution, and for men and women in conditions of forced labor. Women in prostitution in both regulated and illegal commercial sex sectors in the BES islands are highly vulnerable to trafficking, as are unaccompanied children. Local authorities believe that men and women also have been subjected to involuntary domestic servitude and other forms of forced labor in the agricultural and construction sectors. Some migrants in restaurants and local businesses may be vulnerable to debt bondage.

In 2012, the Netherlands, also representing BES, continued to implement its June 2011 MOU with Aruba, Curacao, and St. Maarten to increase cooperation on anti-trafficking to improve victim identification and prosecution of traffickers on the islands. Part of the MOU includes establishment of a mentoring or “twinning” system for officials from the four countries of the Kingdom and the BES to provide each other with technical support to develop anti-trafficking investigations and prosecutions, as well as shelter and information campaigns. In October 2012, local authorities, in partnership with Dutch officials, reported investigating the first trafficking case in Bonaire, involving Colombian women in forced prostitution. No victims were identified in Saba or St. Eustatius. No trafficking prosecutions or convictions were initiated on these islands during the reporting period. The central government continued to provide in-kind support for human trafficking hotlines in St. Maarten and Bonaire, though there were no awareness campaigns specifically targeting potential clients of the sex trade in the BES islands to reduce demand for commercial sex acts.