



# The Situation of Children and Adolescents in Aruba

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## Boy, 15 years old, Aruba.

'I was born in Santo Domingo in the Dominican Republic. I live with my father, my mother, and my sister. Everything is fine at home. It's just that I don't see my mother very often as she leaves early in the morning and comes home late in the evening.

'My father wants to learn Dutch so that he can help us with our homework. He used to be the brightest child in the class at school, and I am trying to follow in his footsteps, but it's difficult. My mother and father bring me up together. They work as a team. We moved to Aruba in search of a better life.

'I don't have my own bedroom at home, as we only have two bedrooms. My parents have one bedroom, and I share a bedroom with my sister. I feel like I don't have enough privacy at home. When I want to get dressed, I have to ask my sister to leave the bedroom for a few moments. I enjoy Aruban life. The people are very friendly. My friends are like brother to me. We can always trust and rely on each other.

'If I could change something in my neighbourhood, I would make sure there were more recreational areas. Most places are closed, and as a result people sometimes do bad things, and end up in a life of crime.

'We go to church every Tuesday, Saturday, and Sunday. There are always activities at the church, such as drama or singing. I often have to go there to practice as I play bass guitar and piano. I mainly learned how to play these instruments from my father, but I have also had some lessons and taught myself a few things using the Internet.

'I think I lead a healthy life. I do a lot of sport, and I eat a healthy diet.

I know a lot about drugs and alcohol because I did a project about them at school.

I enjoy school. The lessons are fun and educational, but sometimes the teachers don't explain things well, and then I don't understand.

'My friend is often bullied at school. I don't get bullied as a lot of children know me. My friend is sometimes bullied because of his facial expressions and sometimes because of his behaviour. People bully each other without knowing that it can hurt other people, and that's not right.

'In general, I feel safe on Aruba, particularly when I am with my family. I also have a lot of friends, and that helps, just in case something happened to me. I know they would help me. On Aruba, I once saw a boy steal something out of a car, but I've seen much worse things in Santo Domingo.

'At school, I feel like a kind of leader. If children in my class don't know what to do, they come to me for advice. I am not the best pupil in the class, but I help the other children in the class if they ask me for help.'





## Girl, 13 years old, Aruba

'I live with my mother, my step-father, my elder brother who is eighteen, my fourteen-year-old sister, my younger brother, and my step-father's grandchild. I don't talk to my "real" father. I would like to have more of a relationship with him, but for some reason it just doesn't work. So now I only see him at Christmas and New Year.

'I love the sun, the beaches, and all my friends on Aruba. I also really like my neighbourhood, particularly the people living there. The community centre organises activities for all ages, to give us something to do. It is not always possible, but they try.

'I want to stay on Aruba when I have finished school. I will leave to go to university, but after that I want to come back. I want to study in the Netherlands, or in Costa Rica.

'We get sex education at the YMCA, but not at school. They sometimes invite speakers to come and explain things. A while ago, someone came to talk about the influence that alcohol and drugs can have on you, and that they can mean you no longer have control over things, and bad things can happen. My mother talks to me about those kinds of things too. She always says that I should think very carefully before deciding to become sexually active. There are a lot of teenage mothers on Aruba.

'I enjoy school. I'm now in the first year of higher general secondary education. The teachers are very kind, and their lessons are enjoyable. We get a lot of lessons that we didn't get in the intermediate general secondary education system, which I really like.

'There is a lot of violence on Aruba. I think there should be harsher punishments for young people who break the law so that they can learn from their mistakes. Bad things happen too often at the moment. Children see a lot of violence, and then they use violence themselves. In the neighbourhood I live in, I'm not afraid to walk along the street on my own, as almost everybody knows me. If I have to go somewhere else, my mother takes me there. I'm sometimes afraid late in the evening, because a lot of things happen then. Then my elder sister normally walks with me.

'The happiest period of my life was when my mother didn't have to work, and she was at home a lot. We always did a lot of fun things together. Now she works all week, so I don't see her much.

'If I ruled Aruba, I would ensure that children stop using drugs and alcohol, and that children have more respect for their parents. I often read in the newspaper that children mistreat their parents, and that's bad.'



# Girl, almost 18 years old, Aruba.

'I believe that every child has a right to fulfil his or her dream. I live with my mother and my two sisters. My father lives with my grandmother, and my eldest sister lives on her own. I am the youngest in the family. Both my parents are originally from Aruba. My father doesn't live with us, but he comes to see us every day. I've never been hit - not by my parents, and not by anyone else either. If my parents get angry, they just shout and curse. It is very common for children to be abused and mistreated. I have never seen it, and it has never happened to me - I hope I never have to witness it!

'I do want to leave Aruba to become a model in Paris, or to go somewhere else in the world to play volleyball. I was once spoken to by a woman who told me that her daughter had a modelling agency in Paris, and that I could go and work there as a model if I wanted to. But even if I leave Aruba, Aruba will always be "home".

'If I have any problems, I always turn to my best friend. But fortunately I never have any real problems. I am still at school and I am studying subjects related to construction in the intermediate general secondary education system. I am the only girl in the class. I chose those subjects because my father works in construction. If modelling doesn't work out for me, I can come back and find work using my qualification.

'My hobbies are playing volleyball, playing softball, and having fun. At weekends, I often go to see friends, and we all sit together and tease each other and make jokes.

I do feel safe on Aruba, because I mind my own business. I do what I need to do, and then I go home again.

'We get sex education at school, and courses to inform us about mistreatment. The organisers tell us all about certain illnesses that you can catch, and what you can do to protect yourself. We don't usually go to the courses about mistreatment, as the courses are given somewhere else and it's too much bother to get there.

'We have enough money at home to buy food and other things. I am looking for a part-time job. I would like to work as a waitress. At home, I am the only one who still gets pocket money. My sisters don't get pocket money any more because they have boyfriends who give them money and buy and pay for things for them.'





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# Introduction

A situation analysis of children, adolescents and women in Aruba was undertaken in 2011–2012. Commissioned by the United Nations Children’s Fund-The Americas and Caribbean Regional Office, it was conducted by the Observatorio Social del Ecuador (OSE), a non-governmental organization based in Quito. The study had two main objectives: to evaluate progress and challenges around the implementation of the rights of children and women; and to make recommendations for social action and public policies in the medium and long term in order to improve the conditions and life opportunities of those population groups.



The research methodology used a highly participatory approach, including in-depth interviews with 50 key informants from the state, civil society, academia and international organizations, combined with statistical analysis based on information from the 2001 and 2010 censuses complemented by data from other sources.

Since 1986 Aruba has been an autonomous state within the Kingdom of the Netherlands; however, four centuries of colonialism have continuing effects including a legal framework based on the Dutch Constitution and a Dutch model of education. The Netherlands remains responsible for the island's international relations, including reporting to international human rights bodies such as the CRC, and national security. As part of the Kingdom, Aruba has assumed commitments to a number of international treaties and agreements including the Convention on the Rights of the Child (CRC) and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and therefore has been preparing inputs from Aruba to the reports of the Kingdom to the CRC and the CEDAW committees which periodically review implementation of recommendations and measure progress.

The island's development has also been strongly influenced by a long history of migration and immigration. Most recently immigrants have come to fill the multiple employment opportunities in construction and services offered by tourism, which is now the main driver of economic growth. The 2010 Population and Housing Census indicates that 34 per cent of the population were foreign born, making the island both multicultural and multilingual. Of the 107,557 residents, 25 per cent are children and adolescents and 53 per cent are women.

Aruba has high performance indicators, comparable to developed countries, and the population's standard of living is generally good: 100 per cent of residents, including documented immigrants, have social security and health insurance; primary and secondary education are free; 97 per cent of the population 15 years and older are literate; and there is a pension programme that guarantees a minimum income for older adults. This progress is due in large part to the way the state distributes the national budget, prioritizing social investment. From 1999 to 2009, spending on the health sector, on average, accounted for 8 per cent of total gross domestic product, education 6.7 per cent and social protection 7.4 per cent.

The Ministry of Economic Affairs, Social Affairs and Culture established the following priorities for the period 2009–2013: development of children and adolescents; development of women; welfare of the economically disadvantaged population; special needs; care of the elderly; and production and analysis of data in the social affairs field. One important action has been the introduction a payment to help support single mothers. The Government has also established a committee against child abuse and organized the first national conference on child abuse.





## Acknowledgements

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This report is based on the ‘Analysis of the Situation of Children and Adolescents in Aruba’, commissioned by United Nations Children’s Fund-The Americas and Caribbean Regional Office (UNICEF-TACRO) and produced by Observatorio Social de Ecuador (OSE) with research carried out by Soledad Álvarez Velasco, Margarita Velasco Abad, Belén Febres Cordero and Alexandra Escobar García under the general coordination of Margarita Velasco Abad, Executive Director, and Tatiana Cevallos, Administration, OSE. The report included comments received from civil society and governmental representatives.



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# Foreword

Over the past several years, the Government of Aruba has been reporting to the Committee on the Rights of the Child on the situation of children in the island as part of the wider report of the Kingdom of the Netherlands. While the Committee's latest recommendations to the Kingdom (2009) provided some specific recommendations for Aruba and the Netherlands Antilles, a need emerged to implement a full and comprehensive UNICEF-supported analysis on the situation of children and adolescents on the island.

Across the globe, UNICEF advocates for making progress towards fulfilling the rights of all children as defined in the Convention on the Right of the Child (CRC). Such advocacy is generally based on evidence as described in situation analysis documents. This current report is based on available statistics, on the review of policies and on many interviews and provides a holistic overview of the situation of children and adolescents in Aruba. As part of the process, a wide range of stakeholders from government and civil society were interviewed and focus group discussions were conducted with children and women. The application of quantitative with qualitative methods provided an opportunity to go beyond the standard situation analysis as applied in many countries. It contributed to the preparation of an analysis through a joint effort, using the opinions of many state and non-state actors.

Aruba, as a high-income country (according to World Bank classification) within the Kingdom, maintains a high standard of living and the situation of children and adolescents is generally good. However, further progress could be made in some areas to fulfil the rights of all children and adolescents on the island while also addressing new challenges in the areas of health, education and child protection.

Based on the analysis, specific recommendations are provided to the Government and other actors for addressing the remaining challenges and for taking action on emerging issues. This includes recommendations for increasing the coordination between state and non-state actors in the provision of services to children, strengthening the child protection system, addressing obesity among children and enhancing the education system.

The child-portraits in this report, telling the stories of individual children, were prepared by the Netherlands National Committee for UNICEF. These portraits form part of a bigger project, complementary to this situation analysis, to allow children of Aruba to be heard and to have their views or opinions taken into account, in line with the fundamental right of children to participate. The results of this project will be presented separately.

The researchers would like to express their gratitude to the staff of the Ministry of Economic, Social and Cultural Affairs, who were extremely helpful throughout the process (including Bernice Schulte and Alice C. van Romondt); the Central Bureau of Statistics, who provided valuable assistance in pulling together the available statistics (Martijn Balkestein and Sacha Geertman); the University of Aruba (Paula Kibbelaar and Clementina Eugene); Hellen van der Wal (Stichting Maatschappij en Criminaliteit); Luc Alofs (Instituto Pedagogico Arubano); and to all the people who were interviewed on the island and whose candid testimony contributed to this research.

# Acronyms and abbreviations

<b>CBS</b>	Central Bureau of Statistics
<b>CEDAW</b>	Convention on the Elimination of All Forms of Discrimination against Women
<b>CEDEHM</b>	Centro pa Desaroyo di Hende Muher [Centre for the Development of Women]
<b>CEMBRAH</b>	Comisión Embarazo Hubenil [Commission on Youth Pregnancy]
<b>CEPAR</b>	Centre for Population Studies and Social Development (for its Spanish initials)
<b>CRC</b>	Convention on the Rights of the Child
<b>ECLAC</b>	Economic Commission for Latin America and the Caribbean
<b>EPB</b>	pre-vocational education (for its Dutch initials)
<b>GDP</b>	gross domestic product
<b>HAVO</b>	senior general secondary education (for its Dutch initials)
<b>MAVO</b>	junior general secondary education (for its Dutch initials)
<b>MDGs</b>	Millennium Development Goals
<b>NGO</b>	non-governmental organization
<b>NEET</b>	not in education, employment or training
<b>IOM</b>	International Organization for Migration
<b>ILO</b>	International Labour Organization
<b>OSE</b>	Observatorio Social del Ecuador
<b>PAHO</b>	Pan American Health Organization
<b>UNAIDS</b>	Joint United Nations Programme on HIV/AIDS
<b>UNDP</b>	United Nations Development Programme
<b>UNICEF</b>	United Nations Children's Fund
<b>UNESCO</b>	United Nations Educational, Scientific and Cultural Organization







# 1. Introduction and Methodology

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In 2012, at the request of the United Nations Children's Fund-The Americas and Caribbean Regional Office (UNICEF-TACRO), an 'Analysis of the Situation of Children, Adolescents and Women in Aruba' was prepared by the Observatorio Social del Ecuador (OSE), a non-governmental organization (NGO) based in Quito, Ecuador. The study had two main objectives: to evaluate progress and challenges around the implementation of the rights of children and women; and to make recommendations for social action and public policies in the medium and long term in order to improve the conditions and life opportunities of that population.

The research methodology was based on 'Guidance for Conducting Situation Assessment and Analysis of Children's and Women's Rights' (UNICEF, 2008) as well as on OSE's previous experience in qualitative and quantitative research. The aims of a situation analysis include identifying the causes of and structural links between the problems affecting children, adolescents and women; accounting for how resources and the social, economic and organizational structures of a country (including its policies and institutions) can help address constraints in the situation of children and women; developing capabilities (or enhancing existing ones) and local technical support; generating a process of participatory analysis to mobilize local actors and manage strategic alliances at different levels of society to achieve favourable outcomes for children, adolescents and women; and promoting the use and application of information generated in both civil society and the state and ensuring a process of monitoring and updating of the information produced (ibid.).

To meet these aims, and given the size of the country and challenges in the availability of statistical information in some sectors, OSE used a highly participatory approach. A variety of investigative techniques (field observations, in-depth interviews, conversations, life stories) enabled it to ascertain key social, economic, political and cultural problems. Two local counterparts worked directly with the team to identify 50 key informants with whom semi-structured interviews were conducted. These included representatives of the state, civil society, academia and international organizations as well as several immigrant women, children and adolescents. Where possible, information derived from interviews and focus group discussions was cross-referenced with other quantitative and qualitative information and compared to existing government policies and programmes related to children and adolescents.

A computer technician with the Aruba Central Bureau of Statistics (CBS) generated specific information using data from the 2001 and 2010 censuses. These data were complemented by others produced by the World Bank, UNICEF, the Pan American Health Organization (PAHO), the United Nations Development Programme (UNDP), the International Organization for Migration (IOM), the Economic Commission for Latin America and the Caribbean (ECLAC) and other statistical sources.

Performing a situation analysis involves not only assessing and analysing the situation of children and women but also applying a human rights-based approach. This means that the research took into account the commitments assumed by Aruba, as part of the Kingdom of the Netherlands, related to a number of international treaties including the Convention on the Rights of the Child (CRC) and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). Articles of the CRC and CEDAW were transformed into indicators in order to gather information that would reflect specific aspects of compliance with the rights of children, adolescents and women as referred to in these international agreements. In addition, the analysis was poured into causal chains, which helped clarify the structural causes of social problems afflicting these groups and identify gaps in social and state actions.

It is hoped that the information contained here will be received and used by both the state and civil society to guarantee full compliance with the rights of children, adolescents and women in Aruba. It should be noted that the situation analysis concluded in the first half of 2012 and hence any changes to legislation after that period are may not be reflected in this document.











## 2. Country Overview

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### Historical context

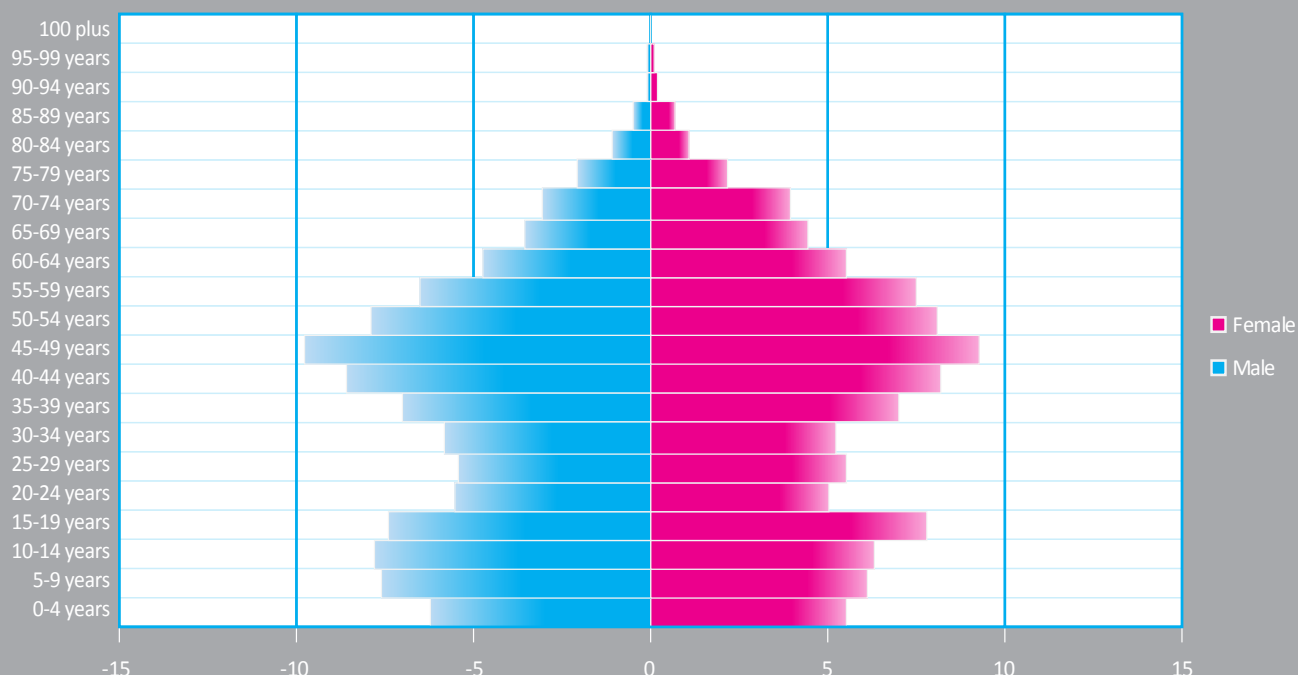
Aruba's contemporary reality cannot be understood outside its historical relationship with the Netherlands, which began when the Dutch West India Company took possession of the island in 1636. This has been a key factor in its political, social, economic and cultural development (Alofs, 2008; Sharpe, 2005; Razak, 1995). While this dependency relationship officially ended in 1986 with the signing of the 'Status Aparte, when Aruba became an autonomous country within the Kingdom of the Netherlands - formed by the Netherlands and the six islands of the Netherlands Antilles- the links remain. A relationship of almost four centuries of colonialism does not change easily. Indeed, QThe head of state, King Willem-Alexander, is represented by the Governor of Aruba, and the the Kingdom oversees the island's external relations and defence.

The island's development has also been strongly influenced by a long history of migration and immigration. Arubans have moved within the region or further afield to seek employment or educational opportunities, while a short-lived oil industry and more recently international tourism (now the main driver of the economy) have brought in workers to provide the multiple services required. The diversity of origins, reasons for a migratory life and work experiences that converge in Aruba have made the island both multicultural and multilingual. Dutch and Papiamentu (the language of the islands of the Lesser Antilles) are the official languages, but only 6 per cent of the population speak Dutch at home while 68 per cent speak Papiamentu, 14 per cent speak Spanish and 7 per cent speak English (CBS, 2010).

### Demographic profile

Population growth on the island has shown a steady upward trend from 91,851 people in 2001 to 107,557 in 2010. Of this total, over half is made up of women (53 per cent). With respect to the population under 18, one in four people on the island is a child or adolescent. Between 2000 and 2010, the proportion of children aged 0 to 14 years declined from 23 per cent to 19 per cent while the population aged 60 years and over doubled from about 7 per cent to 14 per cent (CBS, 2010), showing a clear aging trend.

The island's population structure (Figure 1) shows a reduction in the base and middle layers and, simultaneously, a tendency to widen in the upper part. While this broadening could be attributed to the aging trend, the reduction in the structure's base could well be attributed to lower fertility. Moreover, the reduction in the middle implies that there are fewer young Arubans inhabiting the island as a result of immigration processes, with young people leaving the island to study in the Netherlands and the United States due to the lack of local higher education opportunities.



**Figure 1. Population structure**  
Source: CBS, 2010.

According to information from the 2010 census, the foreign-born population makes up 34 per cent (34,432 persons) of the total population (101,484 persons) and represents 92 different nationalities. The largest group comes from South America and the Caribbean, with 26.9 per cent from Columbia and 11.9 per cent from the Dominican Republic. The second largest group comes from the Netherlands (12.7 per cent). Most of these immigrants come seeking employment and relatively few are under 14 or over 65. Foreign-born females (19.1 per cent) outnumber males (14.8 per cent) in the total population (CBS, 2010).

## Socioeconomic situation

Since the late 1970s, Aruba has witnessed significant changes in its economy. This coincides with the growing predominance of tourism as the major national economic activity. In percentage distribution of gross domestic product (GDP), services (which includes tourism and off-shore banking) now account for 66.3 per cent, industry for 33.3 per cent and agriculture for 0.4 per cent (CIA, 2012). Steady growth (especially during the 1990s) in the tourism sector – aimed primarily (75 per cent) at tourists from the United States – has led to a substantial expansion of other related economic activities. For example, construction increased five times since 1985. It has also reduced unemployment, increased labour migration into the island and improved living conditions for the population.

Overall, immigrants work in those labour niches that are not occupied by Arubans, either because the latter have migrated abroad or because these are jobs that are no longer desired by the local workforce. For example, South American men are employed in construction or in services (cleaning, building maintenance, kitchen work, as waiters, etc.) linked to the tourism industry. South American women, meanwhile, work in construction and/or services linked to the tourism industry too but also as maids or nannies or as sex workers. While the situation of these South American immigrants is regulated, they are generally the lowest paid and their labour and social rights can be violated. However, their work situations and living conditions tend to be invisible.

In general terms, Aruba's socioeconomic situation is comparable to that of developed countries: 98 per cent of the population is literate; enrolment in primary education is almost universal; and 100 per cent of citizens, including documented immigrants, have social security and health insurance. Due to this positive socioeconomic performance, the World Bank (2010) places Aruba among the 33 high-income countries that are not members of the Organisation for Economic Co-operation and Development (OECD).

According to the CBS, about 28,000 new jobs were created in Aruba during the past 40 years. Between 1991 and 2007, there was a 16 per cent increase in women in the workplace as the transition from oil to tourism created a niche for their incorporation in the services sector. They make up 75 per cent of workers in this sector (ECLAC, 2009). This trend is similar to that reported throughout Latin America and the Caribbean, where participation of women in services has increased markedly. However, this sector is one with more hierarchy and lower earnings in comparison with other sectors such as industry. Thus although women have entered the labour market, this does not necessarily mean they are well paid or that their working conditions are optimal.

At the same time, the economic transition of the past decades has also resulted in increases in living costs, expansion and intensification of the time devoted to work and changes in social relationships, especially within households. While there has been an increase in the number of jobs, these are not always sufficiently well paid as the cost of living on the island has also been increasing (due, for example, to rising prices of imported food). Thus, economic pressure has forced more and more Arubans to find multiple jobs in order to meet their basic needs. The entry of parents, especially mothers, into the labour market has led to changes within the home that include the reconfiguration of traditional roles and often deterioration in levels of care for or even neglect of children (see section 6).

While the unemployment rate stands at 5.7 per cent, there remains a certain level of poverty on the island. This could also be attributed to the high cost of living (World Bank, 2010). A survey of economic welfare carried out by CBS in 2006 reveals certain problems faced by some Aruban households and various coping strategies that are used to overcome economic difficulties. According to this survey, 1 in 4 households had difficulties covering the payment of two basic services – water and electricity – in 2006. While most of these difficulties occurred once or twice during the year, 1 in 10 households had major problems throughout the year (CBS, 2006). Furthermore, according to data from the same survey, it appears that the strategy of households when money is tight is to prioritize spending on housing over basic services.



## Legal and judicial framework

The Aruban Constitution of 1986 declares that there can be no discrimination based on religion, ideology, political opinion, race, sex, colour, language, national or family origin, association with a national minority, economic power, birth or for any other reason (Article 1.1). However, it contains no explicit recognition of the rights of children and adolescents. For example, education does not appear as a universal right but as a “constant concern of the state” where the coverage of costs is discretionary (Article 1.20) rather than a state obligation. However, it should be noted that both public officials and representatives of civil society organizations are aware of the importance of meeting human rights obligations, particularly those stipulated in the CRC, and have a strong commitment to ensuring the fulfilment of the rights of all children.

The Aruban legal system is based on the Dutch system, which has positive consequences for the rights of children and women since it lays the groundwork for the island to set up a welfare state similar to the Dutch one, where the constant enforcement of and unrestricted compliance with human rights are the pillars. Aruba’s judicial system also operates in the same way as the Dutch, with the judiciary independent from the legislative and executive branches. Since the signing of the Status Aparte, the Dutch Crown appoints judges for life and they are the ones who rule on proceedings before the courts on the island. It is possible to appeal local rulings to the Joint Court of Justice of Aruba, Curacao, Sint Maarten and of Bonaire, Sint Eustatius and Saba, and the Supreme Court in The Hague, the Netherlands.

Article 14 of the Charter of the Kingdom of the Netherlands implies that the articles dealing with Kingdom affairs in the Dutch Constitution also apply to Aruba. Thus, the articles that establish the priority of international conventions and national guidelines also apply to the constitutional system of Aruba. In other words, the provisions of a convention or decision by a human rights organization take precedence over domestic laws (UN, 2003). The signing of these international treaties on human rights has had a direct impact on national legislation. Two examples are the new civil code that entered into force in January 2002 and the new criminal code adopted in April 2012 that, among other things, established a new juvenile justice system.

## CRC and CEDAW implementation and reporting mechanisms

The fact that the Aruban international relations remain a responsibility of the Kingdom means, among others, that the Kingdom is responsible for the signature and ratification of international treatments and conventions in various area, including human rights. The Netherlands has a long tradition in favour of human rights, reflected in the signing of multiple agreements and international treaties including the CRC and CEDAW. This also binds Aruba to these conventions and requires it to take domestic measures for their enforcement and for aligning its legislation, policies and programmes to the recommendations of these human rights bodies.

Accountability for the implementation of these conventions is the responsibility of the Kingdom. Hence in the case of the CRC and the CEDAW, for example, it is the Kingdom of the Netherlands that prepares reports on the progress with compliance with the CRC and CEDAW for all countries and territories. As such, the CRC Committee has requested to the Kingdom to report in its entirety, with separate chapters for each country. The latest report to the CRC Committee was prepared in 2012 and the Aruban authorities contributed extensively with specific inputs, including on the status of implementation of the Committee's recommendations.



## Some challenges to progress

There are a number of challenges related to the way Aruba has historically operated as a dependency of the Netherlands (see Figure 2). Addressing these could lead to long-term changes that would ensure greater compliance with the rights of children and adolescents on the island.



Figure 2. Some challenges to progress in Aruba

Strong economic dependence on tourism has been identified as one of the largest constraints on the state, and diversifying income sources is a major challenge. This economic dependence is directly related to the transformation of the economy and ends up affecting, in various ways, the lives of children and women.

Another challenge is that lack of integration leads to each ministry functioning in isolation without achieving coordinated implementation of multi-sectoral policies and programmes. There are many social programmes but no public policy or common goals that frame and integrate state actions as a whole. Moreover, the absence of overall state policies means that public policy guidelines change when the government changes, limiting the achievement of medium and long-term goals. Two examples are the limited operation of the child protection system – which is currently under the Ministry of Economic, Social and Cultural Affairs when it should be part of a comprehensive policy in all ministries – and the absence of a gender policy.

While there are about 58 civil society organizations in the country working on children's and women's issues, many of them financed by the state, they do not always work together in identifying social problems, in decision-making or in implementation of social actions. Ongoing dialogue between civil society and the Government would make it possible to identify those issues concerning children and women that remain rather invisible and start to tackle them. It is desirable that oversight mechanisms generating social and civic participation are reinforced. The Government should continue leading meetings and dialogues between civil society organizations, the private sector and trade unions so that these sectors can become more involved in social issues affecting the island.

There also needs to be a state policy to strengthen the university. This could ensure the training of professionals who are highly trained and committed to Aruba.

### 3. Social Policies and Social Investment

The favourable living conditions experienced by Arubans are due in large part to the way the national budget is distributed, which prioritizes social investment. It should also be noted that the budget includes no military spending since security is the responsibility of the Kingdom of the Netherlands. Among the top 10 spending items, health comes first, followed by social protection and education (Figure 3). In fact, 61 per cent of total government spending between 1999 and 2009 was allocated to the social sector.





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**General State expenditure  
1990-2009**

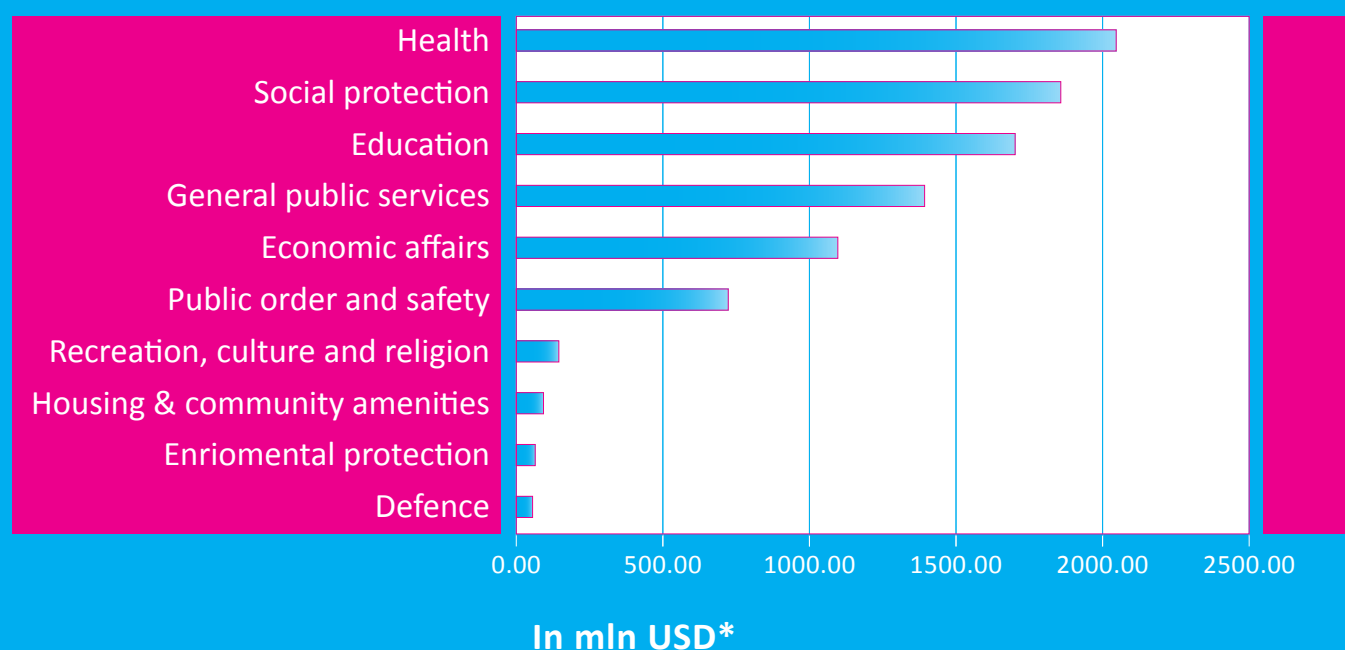
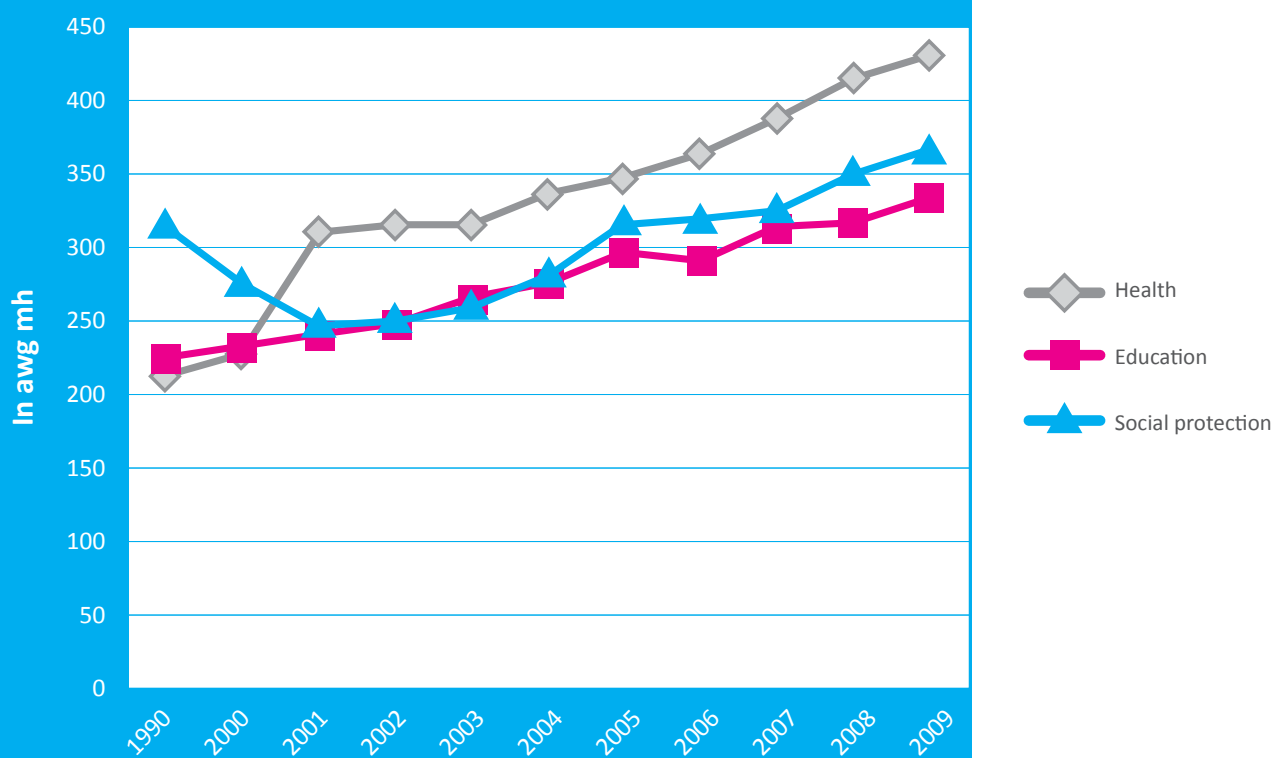


Figure 3. General state expenditure, 1999–2009

\*1USD=1.7798 Awg

Source: Central Bureau of Statistics, 2011.

State Expenditure on Health, Social Protection and Education  
1990-2009

Source: Central Bureau of Statistics, 2011.

In addition, public spending on these three areas between 1999 and 2009 had a significant upward trend: in the health sector, it rose from US\$117.7 million in 1999 to US\$239.5 million in 2009; in social protection from US\$175.8 million to US\$203.6 million; and in education from US\$124.9 million to US\$184.7 million.

As noted previously, 100 per cent of the population has social security, including documented immigrants. This remarkable progress reflects the fact that between 2001 and 2009, social security spending increased almost 1.5 times from US\$221 million in 2001 to US\$323.6 million in 2009, meaning a per capita increase from US\$2,406 in 2001 to US\$3,035 in 2009. These social investments are a fundamental step to ensure the welfare of the population.

The Ministry of Economy, Social Affairs and Culture is responsible for the design and implementation of social policy on the island. As stated by the Ministry, the objective is to “identify and overcome barriers that exist for every citizen (man, woman or child) to exploit their full potential and achieve a happy healthy life through the use of resources within and outside of the government” (Ministry of Economy, Social Affairs and Culture, 2011). To achieve this goal, specific guidelines for government action on social, economic and cultural issues have been established (Box 1).



Photo: © UNICEF/UNI119883/LeMoyne

## Box 1. An overview of the social security system in Aruba

The most important elements of this system are:

- *Social security plan*: provides health insurance for citizens and residents of the island, as well as benefits for the aged, widows and orphans.
- *Health care*: is available for all those who are registered at the national registry office. Medical insurance provides the insured with a basic package of services including access to primary care physicians and specialists, limited dental care, physiotherapy and medical facilities abroad. Medical care is fully accessible to all sectors of the population.
- *Income subsidy*: a financial contribution for basic living costs is granted to families or households with no income or whose income is not sufficient to maintain them and who are not included in other plans or benefits. Both domestic and foreign residents who meet certain requirements are entitled to this subsidy. These include: (a) Dutch nationals born in Aruba; (b) Dutch nationals not born in Aruba but who have lived there for at least the last three years, (c) aliens married to persons mentioned in paragraphs (a) and (b) living under the same roof; (d) unmarried minor aliens living under the same roof as the persons mentioned in paragraphs (a) and (b); and (e) aliens who have applied for naturalization. Within this grant there is a supplementary provision for an adopted child and/or a special benefit for disability.
- *Accident insurance*: provides compensation for a worker who has suffered an industrial accident. Regardless of their income, workers must be insured by their employer against accidents. If the employee dies as a result of the accident, the family is entitled to compensation.
- *Health insurance*: provides that workers receive compensation in case of illness. Pregnancy and childbirth are part of this insurance. The beneficiaries are all employed persons or those who have employment contracts.
- *Workers' compensation*: dismissal legislation provides for the payment of compensation if the contract of employment is terminated for reasons not attributable to the worker. All workers are entitled to this benefit except those working in public institutions and officials and teachers in state schools.

Source: United Nations, 2003.



## **Social sector priorities**

The Ministry of Economy, Social Affairs and Culture established the following priorities for 2009–2013: (1) development of children and adolescents; (2) development of women; (3) welfare for the economically disadvantaged in the population; (4) special needs; (5) care of the elderly; and (6) production and analysis of data and statistics in the field of social affairs in Aruba.

Some of the actions taken by the Government under the first of these priorities include a parental helpline, a draft project on children and a law to assess the quality of day-care facilities. Programmes for the prevention of teenage pregnancy and the support of teenage mothers have also been created. In addition, Aruba has launched an initial childhood and adolescence protection system led by the Bureau Sostenemi ('support me') (see section 6). The Government has also established a committee against child abuse and organized the first national conference on the issue.

## **Respecting child rights**

In 2009, the CRC Committee assessed Aruba for compliance in relation to the rights of children. The Committee's recommendations were sent to the Netherlands, which in turn issued a report 'Every Opportunity for Every Child: Responses and information about youth policy in the Kingdom of the Netherlands', which listed the recommendations of the CRC Committee and the actions implemented in Aruba to reach full compliance. The Committee's list of issues after submission of the initial state report were sent to the Netherlands, which in turn issued a report 'Every Opportunity for Every Child: Responses and information about youth policy in the Kingdom of the Netherlands', which listed the issues of the CRC Committee and the actions implemented in Aruba to reach full compliance. The annex to this report list the final recommendations by the committee and action taken thus far. To achieve effective and optimal implementation in Aruba of the CRC and other international treaties, it would be desirable to count on the continued support of the Netherlands because of its important experiences.

The CRC Committee identified several challenges to fulfilling all rights for all children. Many of these are closely linked to the situation of women. Changes in Aruban households as a result of, among other things, more mothers going out to work have led to deterioration in the care of children and adolescents. Care for children in the family remains almost exclusively in the hands of women, but no comprehensive social policies support mothers in reducing their multiple social roles. This puts children and adolescents in a vulnerable position in terms of health, the learning process and especially their care and comprehensive protection. These issues are discussed in the following sections.





## 4. The Right to Health

## 4. The Right to Health

- Overall, the health system is well organized and provides adequate health-care services for children and adolescents.
- There are low rates of child mortality and high rates of antenatal care (99%) and institutional deliveries (96%).
- All children have access to health insurance and 90 per cent are vaccinated before their first birthday.
- The main public health problem is obesity, with 35 per cent of children and adolescents overweight.
- The promotion of breastfeeding requires more attention.
- Teenage pregnancy is a growing problem, with adolescent girls accounting for just over 1 in 10 births.

Undoubtedly one of the greatest advances of the Aruban state is its high investment in the social sector, particularly in health. Official statistics from the CBS show that expenditure in the health sector between 1999 and 2009 represented an average of 8 per cent of total GDP. This is very encouraging because, according to PAHO, any country that seeks to achieve universal health coverage must assign at least 6 per cent of total GDP to investments in health. In the case of Aruba, this mandate has thus been more than met (ECLAC, 2006 in Badillo, 2009).

Overall, the health system is well organized, with adequate attention to the provision of health services for children and adolescents. There is a Department of Child and Youth Health that deals with children and youth aged 0–19 years old and has improved both the services provided and the availability of health data. For example, the Department implements a fully automated vaccination registration system through which all involved service providers can register vaccinations given. In addition, preventive health checks are carried out among all children in preschools, which has also allowed for better interaction between health providers and parents. The Department monitors the overall health of children attending schools, and longitudinal surveillance of children's height and weight is carried out to assess levels of obesity (discussed below). Some of the health promotion activities carried out by the Department also focus on tackling overweight. In addition, the Department has started psychosocial health-care services aimed at promoting the sound socio-emotional development of all children in schools.

### Progress achieved to date

One result of the investment in health has been a reduction in the rate of infant mortality (under 1 year) by 75 per cent between 2000 and 2006— from 6.2 to 1.6 per 1,000 live births — as well as a continuing low rate of child mortality (under 5 years) (see Figure 4). It should be noted, however, that as child and infant mortalities are measured per 1,000 live births, the figures in countries with small populations are difficult to present. The latest data show a total of five child deaths in 2009.



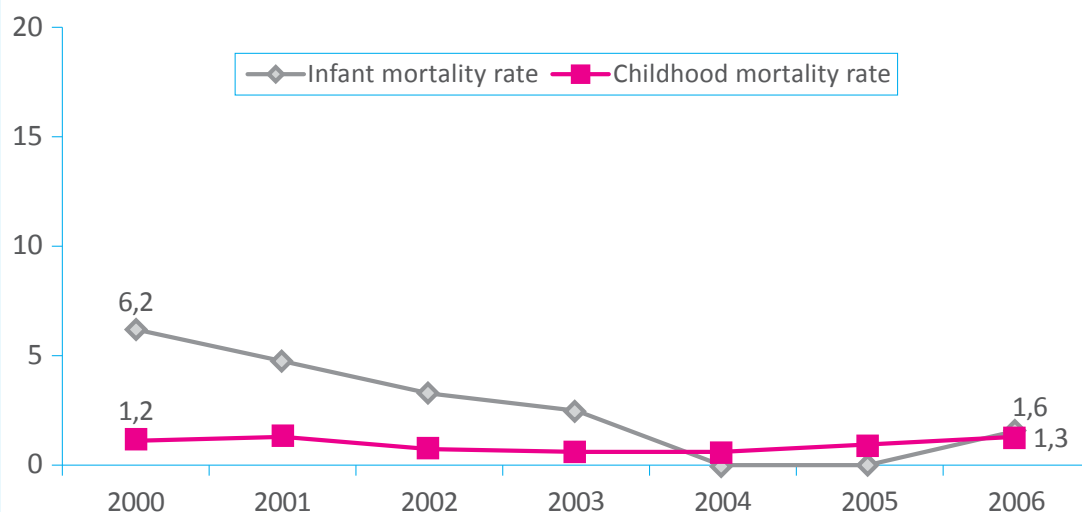


Figure 4. Trends in infant and child mortality, 2000–2006  
Source: CBS, 2010

Antenatal care and professional delivery care are two core elements to ensure the health of mothers and newborns and largely explain these large declines in mortality rates. In Aruba, coverage of antenatal care is 99.2 per cent and that of institutional deliveries is 95.8 per cent (CBS, 2010). While 4 per cent of births take place at home, this does not mean an unsafe environment for mothers and children as long as those attending to them are trained and mothers have received quality antenatal care that identifies any anomalies (CEPAR, 2005). Figure 5 shows this important achievements in fulfilling the right to health.

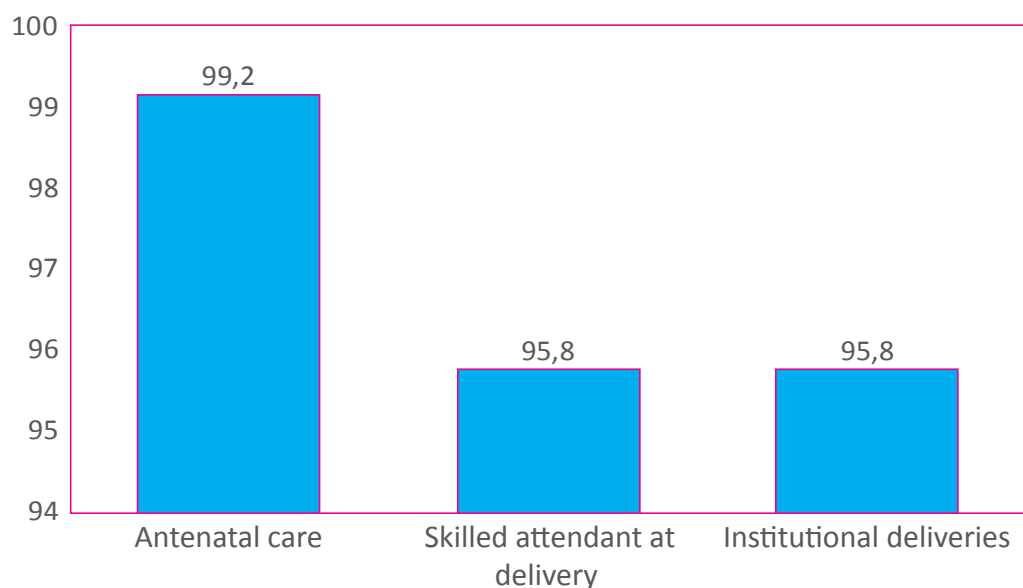


Figure 5. Maternal and newborn care, 2010  
Source: CBS, 2010.

Another element related to the low trends in mortality is immunization coverage. In 2010, 9 out of 10 children between 12 and 23 months had been immunized before their first birthday (Figure 6).

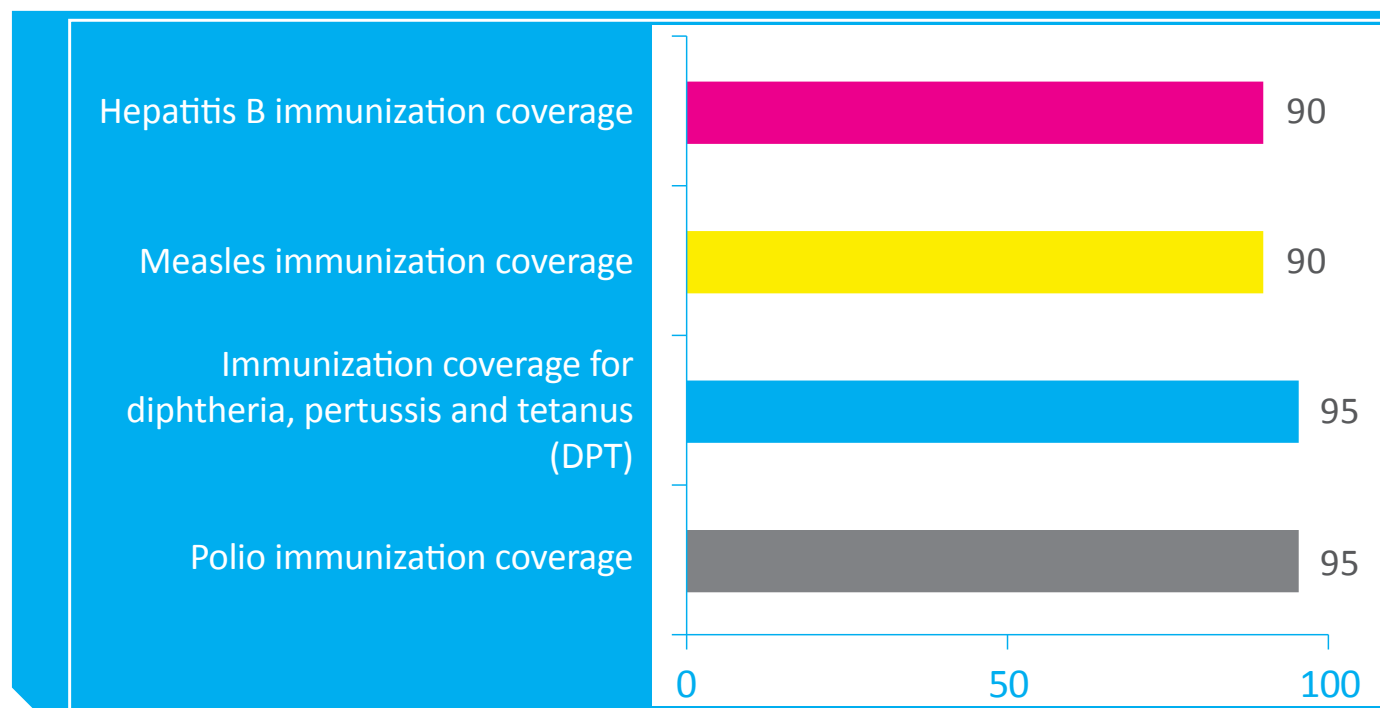


Figure 6. Vaccination (% of children 12–23 months vaccinated before their first birthday), 2010  
Source: CBS, 2010.

A third key element related to fulfilling the right to health is the existence of sanitation and access to safe water. The high rates of infant mortality in Latin America and the Caribbean are related, among other things, to poor coverage in access to basic services (UNICEF and ECLAC, 2007). In Aruba, however, the low rates of child mortality are closely related to access of the entire population, without exception, to safe water and basic sanitation.

## Challenges remaining

Even though that the child health-care system is well organized, it is recognized that some challenges remain. An increase in the school-aged population and greater demand for newborn and psychosocial health-care services is putting a lot of pressure on the system and its employees even though the capacity for providing school-based child health services has increased through the use of multi-disciplinary teams. Capacity issues have also had implications for the limited attention to adolescent health care. Moreover, the current child health policy could be further improved in order to strengthen the role of the Department of Child and Youth Health in ensuring coordination among service providers. Other health challenges are high levels of obesity, teenage pregnancy and HIV and AIDS.

## High levels of obesity

Serious health problems are found among children and young people connected to obesity, with 35 per cent of this segment of the population overweight. Obesity leads to other diseases in the young such as diabetes and hypertension. It is caused by various conditions in the lives of families. Because Aruban women work extended hours and sometimes have several jobs at once, they do not have time to breastfeed and instead rely on infant formulas. Moreover, growing children continue to lack parental care, especially after school, and often eat fast or frozen food that is inexpensive but lacks nutritional value. Added to this problem is a sedentary lifestyle; for example, 77.4 per cent of girls between 6 and 11 do not regularly engage in vigorous or even moderate physical activity and walk less than 10 minutes per day (Ministry of Sports, 2010).

Breastfeeding is the best way to prevent child malnutrition and safeguard against child obesity because breast milk contains all the micronutrients required and adequate rates of glucose that cannot be found in formula. While the percentage of infants between birth and six months who are exclusively breastfed increased from 3.1 per cent in 2002 to 13.4 per cent in 2010, it is still low. The vast majority of children are fed both breast milk and formula or formula only.

In order to tackle obesity, the Ministry of Sports, through the National Sports Council and together with professionals from different areas and civil society organizations, developed a national strategic plan focused on reducing overweight through sport and physical activity. Subsequently, in 2011, the 'Healthy Schools' programme was launched with the aim of reducing obesity in the first grade from 30 per cent to at most 25 per cent in 10 years by educating parents, teachers and students on the importance of healthy eating and continued exercise. A nationwide campaign has also been launched under the slogan 'From One Heavy Island to One Healthy Island'.

### Teenage pregnancy

In recent years (2005–2007) the Aruban total fertility rate – the number of children on average a woman of childbearing age would have throughout her reproductive life if her pattern of fertility is maintained – has remained relatively stable, although with a tendency to decline (1.9 to 1.7). However, while the teen birth rate accounted for 22 per 1,000 live births in 2002, this increased to 26.8 in 2006 (CBS, 2007) (see Figure 7).

According to UNICEF and ECLAC (2007), reducing teen pregnancy is closely linked with progress in achieving the Millennium Development Goals (MDGs) for three reasons: (1) it is often girls from the poorest families who become pregnant, reproducing the circle of poverty and lack of opportunities for the next generation; (2) young mothers may have to drop out of school; and (3) there is an increased likelihood of mortality and morbidity due to the obstetric complications a teenage mother may face.

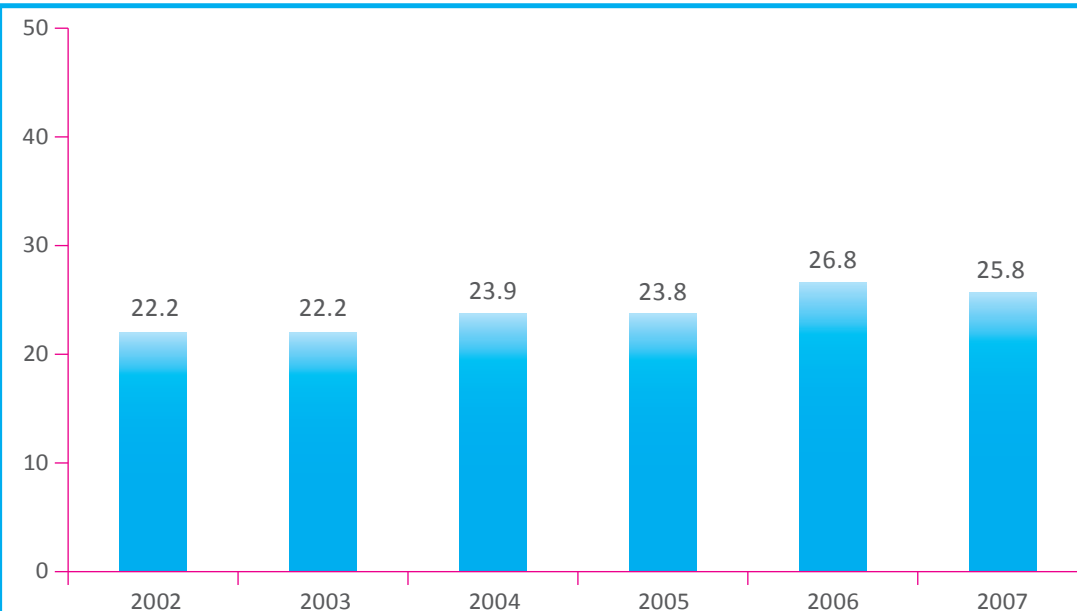


Figure 7. Teenage fertility rate <20 years old (per 1,000 births), 2000–2007  
Source: CBS, 2007

A lack of communication within households to address the issue of sexuality is one of the reasons that adolescents become parents at an early age as they do not know the exact consequences of having unprotected sex. Young people whose mothers and fathers do not address these issues often turn to the Youth Telephone Line (Telefon Pa Hubentud), set up by a civil society organization with co-financing from the state to offer assistance and access to protective services to children and adolescents in need of care through a toll-free phone and via chat. In 2007–2009, about 13 per cent of calls made to this organization were to answer questions about sexuality, the body or personal relationships (CBS, 2010). Several other organizations also address the information gaps experienced by adolescents related to sexual and reproductive health (see Box 2).







Photo: © UNICEF/UNI119889/LeMoyne

## Box 2. Some NGOs working with young people around sexual and reproductive issues

In 2005, a number of NGOs involved with the social, physical, preventive, educational and other aspects of teenage pregnancy set up Comisión Embarazo Hubenil (CEMBRAH), a network that aims first to prevent teenage pregnancy but also to help teenage mothers. As part of its prevention programme, CEMBRAH produces and disseminates information for young people. It also offers care packages and various forms of guidance and assistance to teenage parents.

Famia Planea is a civil society organization that has been working in Aruba since 1970 with the aim of promoting responsible parenthood. It hosts talks on adolescent sexual and reproductive health and promotes contraception in the community. Like many other organizations in Aruba, it receives state funds to cover part of its operation. Famia Planea works with the Ministry of Economy, Social and Cultural Affairs to share information and reflections on sexual and reproductive health and social actions that should be undertaken around this issue. It believes that a major problem facing children, adolescents and women is the lack of information (at home and at school) about sexual health and contraception. This results in women not knowing they have the right to plan their families. Famia Planea considers the absence of a specialty clinic for women in Aruba to be another limitation to meeting sexual rights.

To reduce the percentage of teenage pregnancies, there have been campaigns focused on prevention and sex education, especially at Carnival time, and condoms have been made available to adolescents in strategic locations. However, teenage pregnancy rates have not declined substantially, highlighting the need to design other approaches. Undoubtedly one of the key strategies should be including sex education in the curricula in all schools regardless of type (public and private) and to consolidate and expand existing efforts. For the CRC to be applied and the rights of children and adolescents met in full, a comprehensive and inter-ministerial policy is needed that aims to educate children and adolescents about sex and preventing unwanted early pregnancies (Van der Wal, 2011)

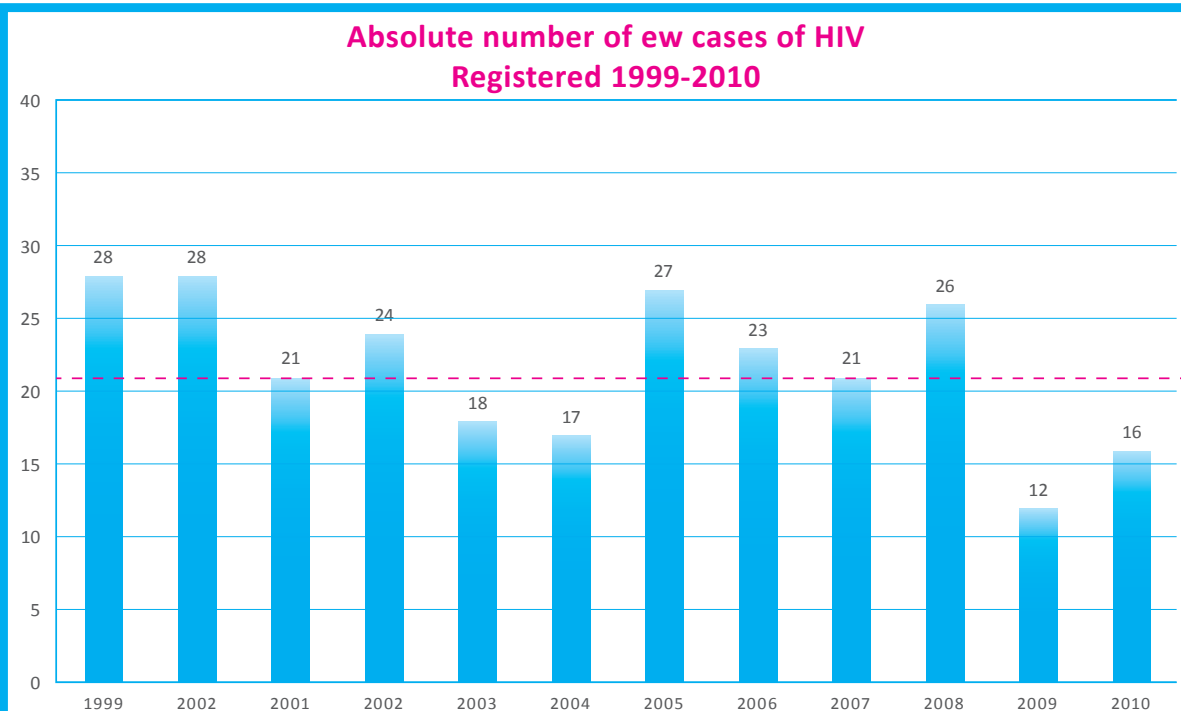
## HIV and AIDS

Between 1999 and 2010, there were a total of 435 people confirmed living with HIV and AIDS on the island. Since 1987 the Department of Public Health has been monitoring the evolution of this disease, with the Communicable Disease Service tracking cases over the years. It also screens commercial sex workers for HIV and other sexually transmitted diseases and provides them with services such as awareness raising and prevention (e.g., use of condoms).

Of the cases between 2000 and 2010, 70 per cent were men and only 30 per cent were women. The main mode of transmission on the island is heterosexual contact (UNAIDS, 2008). Mother-to-child transmission is very low (2 per cent) and these children are treated immediately after birth with antiretroviral therapy. Following the trend in most countries, those between 25 and 44 years are the ones most likely to be infected: 56 per cent of cases in the last decade have been in that group age.

With respect to the origin of those infected with HIV and AIDS, data from the Department of Public Health indicate that 40 per cent of cases registered between 2000 and 2010 were foreigners living in Aruba, mostly from Latin American and Caribbean countries.

In May 1999, a UNAIDS theme group was established in the island. Its main objective was to have a larger number of sectors participate in the strategy against HIV and AIDS. Several government departments, NGOs and private sector interests participate in the group.



Historical series of HIV / AIDS cases

Source: Department of Public Health Aruba, Service of Contagious Diseases & Epidemiology Unit, 2011.



## 5. The Right to Education

## 5. The Right to Education

- Education is compulsory and schooling is free apart from a minimal yearly contribution plus the cost of supplies and uniforms. Enrolment rates are high.
- There is a clear system for supervising the quality of schools through both internal mechanisms and external evaluations.
- The educational model is not adapted to the needs of a cultural diverse society (although the Government is in the process of developing a new curriculum that would introduce Papiamentu into teaching).
- Dropout rates are relatively high in secondary education, especially among boys, and there is limited opportunity for the reintegration into the formal school system of those who drop out or are expelled.
- Education provision for children with special needs is limited.
- A day-care quality control system has been designed and should be implemented as soon as possible.
- There are few after-school childcare alternatives for children or extra-curricular activities for adolescents.

The right to education is enshrined in the CRC and opens future possibilities for children to achieve greater independence and confidence while acquiring the knowledge, skills, attitudes and values needed to occupy an equal place in society (UNICEF, 2005). As in the health sector, over the last decade Aruba has increased investment in education. At 6.7 per cent of GDP, this is more than in some of the richest countries in the world. In the past 10 years, the average cost per student was US\$7,188 per year. Though there was a slight decline in 2002, the overall trend for the period 1999–2009 was upward.

Around 22,000 children are attending the 80 schools on the island. The educational system overall is based on the Dutch model and divided into pre-primary (4–6-year-olds), primary (6–12-year-olds) and secondary education (up to 17 years). As well as the regular schools there are opportunities for non-formal education, while special schools exist for children with learning difficulties and hearing-impaired children.

Primary education on Aruba is offered through seven school associations, providing the opportunity for parents and children to choose the type of school that best fits family interests in terms of religion and educational style. Education is free apart from a compulsory yearly contribution of around US\$60 for elementary school students and around US\$90 for secondary school students plus the costs of basic school supplies and uniforms.



## Progress achieved to date

In 2007, the Ministry of Education, Social Affairs and Infrastructure set out 'A Strategic National Education Plan 2007–2017', which aims to improve education on several fronts. Among them is the creation of an education fund, the development of channels of dialogue and partnership between civil society and parents to enable them to be involved in the learning process, the transformation of schools into safe and multifunctional places and the review and amendment of existing laws with respect to education (Ministry of Education, Social Services and Infrastructure, 2007).

On 20 December 2011, the Parliament adopted a new law in favour of compulsory education from ages 4 to 17 that was ratified by the Government three days later and began to be implemented for the start of the 2012 school year. Preparations included communication between state and civil society around this issue; training actors who will enforce the law's application; and organizing meetings between schools as well as with other strategic partners such as the police, the Child Protection Office (a body within the Ministry of Justice), the Department of Social Affairs and teachers' unions (SIMAR). However, parents and guardians will initially be responsible for ensuring their children are in school.

The Government has also undertaken a number of other measures in the education sector, including for non-Dutch-speaking immigrants (see Box 3).



## BOX 3. GOVERNMENT MEASURES IN THE EDUCATION SECTOR

- **PRISMA project:** Developed in the early 1990s to help non-Dutch-speaking students familiarize themselves with the Dutch language as soon as possible to enable them to follow the normal curriculum. This began as a pilot programme in a public elementary school and was later extended to all primary schools in the island (UN, 2003). Since 2002 the project has also taught Dutch to adolescents between 14 and 17 in extracurricular classes.
- **Trainermerdia project:** Conducted by the Education Department, this programme provides after-school supervision of children in preschool and primary school, supporting their social, emotional, physical and intellectual development. It is intended as a complement to the education and values that children should receive at home and in schools.
- **Programmes for adolescents:** The Ministry of Economy and Social Development formulated a plan to begin in late August 2011 to cover children 13–16, who are the least protected. The Department of Education is also creating a programme so that teens can get help with homework, play sports or learn art or music in the evenings.

There is a clear system for supervising the quality of schools. Internally, schools are responsible for establishing their own mechanisms for quality control and formulating actions for quality improvement. Externally, evaluations are conducted by the school inspection unit from the Ministry of Education based on an established set of criteria. Complaints by either parents or teachers/ heads of schools are also dealt with by this unit.

## Children in school

Access to primary education is almost universal, fulfilling a major right under the CRC: 99 per cent of Aruban children have been enrolled in the system. Similarly, gender differences have virtually disappeared. At the secondary stage, there are several education levels that adolescents can access based on their school performance: (1) pre-vocational education (EPB, by its Dutch acronym), which lasts four years and enables girls and boys to continue their studies in secondary vocational education; (2) junior general secondary education (MAVO), which is also four years of studies before senior vocational education access; and (3) senior general secondary education (HAVO), which lasts five years and enables young people to enter college.

Education Department data show that 7 out of 10 adolescents attending high school attend one of these formal education levels (CBS, 2010). While there are more boys than girls at the lower levels (59 per cent versus 41 per cent), there are more girls than boys at the higher levels (with girls making up 58 per cent of adolescents attending HAVO) (see Figure 8). However, as happens throughout the Latin American and Caribbean region, the educational achievement of girls is not necessarily reflected in the labour market with better jobs or equal wages (UNICEF and ECLAC, 2006).

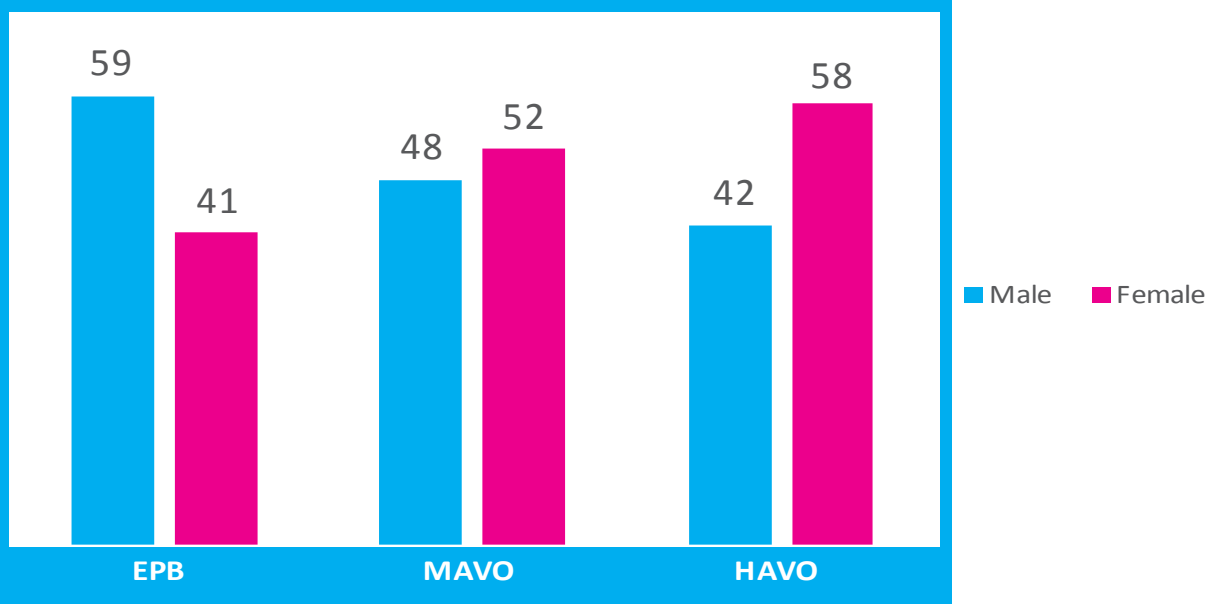
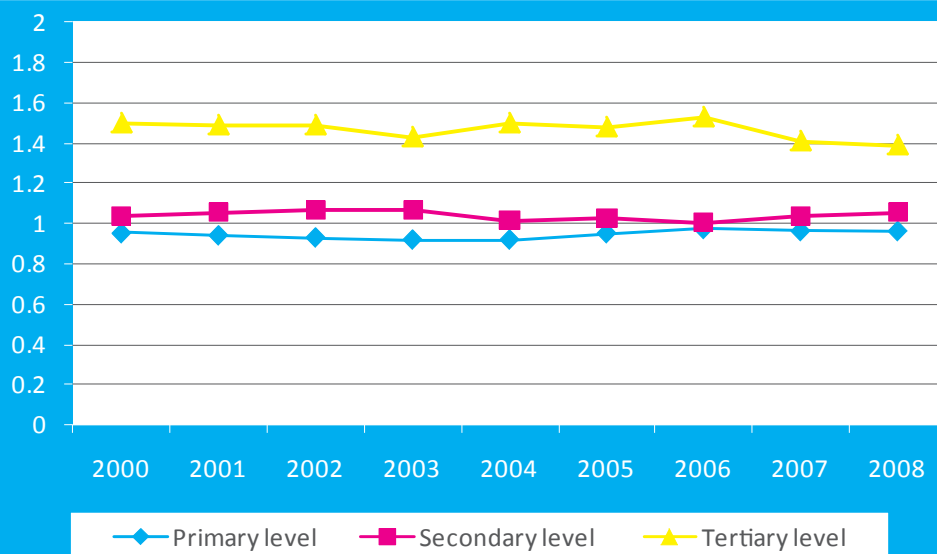


Figure 8. Gender differences in secondary education (% adolescents aged 12–17 in school), 2008–2009  
Source: CBS, 2010.



Gender parity index by education level 2000-2008  
Source: UN Statistics

## Challenges remaining

### Children out of school

The positive results of the indicators regarding access to education are observed in the low percentage of children outside the education system: only 5 per cent. Despite these low rates, however, there are differences by age group that should be addressed: while the percentage of children of primary school age (5 to 11 years) not attending is only 2 per cent; the proportion of adolescents increases slightly more than double, with almost one in ten teenagers out of school.

The historical absence of a law to ensure compulsory education (which has now been resolved), the lack of a mechanism for reintegration of children into the education system and the negligence of care combine as possible explanations for school dropouts. Peer pressure and the integration of adolescents in the formal and non-formal labour force may also be factors.

There is a high probability that those children who fall outside the education system will be involved in very low-paying or even illegal activities, thus continuing a cycle of poverty and risks related to violence as out-of-school children become easy prey for involvement in drug trafficking, crime and child labour. It is therefore important to generate educational alternatives for those who have dropped out or been expelled; currently there are few options for them to be reinserted into the system because the schools close their doors to them.

Dropouts also occur at the university level, where the rate of students leaving school is approximately 30 per cent. Reasons for dropping out include the limited career opportunities offered on the island. This reflects the fact that there is no employment policy for young people.



## Limitations of the school model

While the figures on educational spending are extremely encouraging and say a lot about the importance Aruba places on education, investments should be made not only in terms of access or infrastructure but above all in educational quality. Data from the National Security Plan reveal that 75 per cent of the country's workforce has low educational achievement. There is a clear problem of under-performance of students that begins in primary education and increases at higher educational levels.

The educational system is quite inflexible, not very creative or innovative and does not respond to the contemporary Aruban challenges of childhood and adolescence. It is rather authoritarian, teaches by rote and promotes little questioning. Another major challenge is the fact that the language of instruction in schools is Dutch although the spoken language is mostly Papiamentu (which is only used for teaching in kindergarten). This leads to significant difficulties in the educational process. One consequence is that the current education system does not respond to a culturally diverse society. To deal with these challenges, the Ministry is working on the introduction of innovations and changes in the school system and the curriculum, which eventually will be based on a multilingual model.

Education provision for children with special needs is also limited. A shortage of teachers and schools does not allow for personalized education and there is no financial assistance for special needs; for example, speech therapy is not included in health insurance. It should be noted, however, that the Government is creating programmes that deliver education more specifically directed to each child.

### Exclusion of undocumented immigrant children from education

Although the law in Aruba says that all children and adolescents, without discrimination, have access to the educational system, the law is not always put into practice. This is due, among other things, to lack of infrastructure and insufficient teachers, and not all schools accept immigrant children whose status has not been regulated. In response to this marginalization, Latino schools have been set up. However, these are usually not recognized by the state, and in many cases the diplomas granted are not recognized either on the island.

Another difficulty faced by immigrant children, whether documented or not, is meeting the language requirements once inside the education system. To help address this, in 2001 the Ministry of Education launched the PRISMA project to support non-Dutch-speaking immigrant children in elementary and secondary school (see Box 3 above). However, a limitation of PRISMA is that it does not teach Papiamentu, the language that is generally spoken in everyday Aruban life.

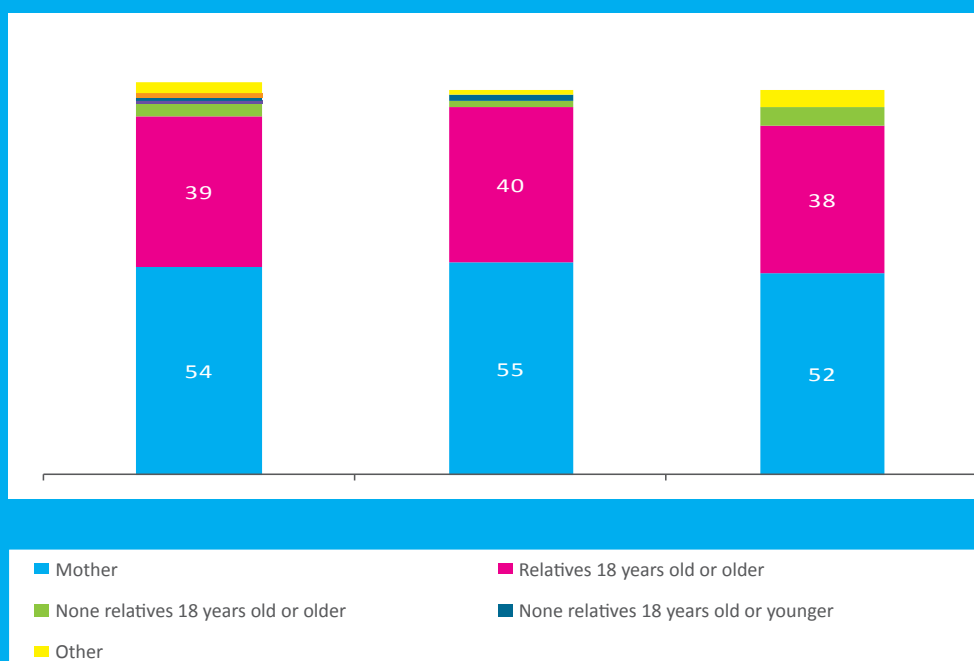
Another potential cause of not accessing the education system by undocumented immigrant children is that their right to identity is unfulfilled. This happens especially when they do not have legal papers. Fearing deportation, immigrant parents do not enrol their children in the civil registry, resulting in the legal non-existence of these children. In fact, it is common for state and social actors to refer to these children as "invisible". A valid identification, permit of residence and insurance card are required for children to enrol in school as well as a permit of residence plus valid identification (passport or cedula) of one of the parents.

## Challenges with childcare and limited after-school care and activities

While after-school care is available at several locations for elementary school students, two of the biggest problems are quality childcare and the lack of after-school care and activities for adolescents. Most day-care centres face challenges regarding quality, although this should improve once the bill presented to regulate them becomes law. Currently, those that guarantee good quality are private and expensive so few families have access, and demand for childcare far exceeds the supply: about 57 per cent of children do not have a place. The likelihood that children can stay with relatives, friends or neighbours is limited since most adults work outside the home. Moreover, the schedules of the centres do not correspond to the needs of working mothers as they usually operate from 8:00 am to 5:00 pm whereas most women work beyond these hours, especially in the tourism sector where shifts are often at night.

Many children, therefore, rely on the care provided at home but this poses many challenges, primarily for mothers. Traditionally, the only social role for women was care of the home and family, and overall the care of children is still their responsibility regardless of whether they work or not, i.e., their tasks have doubled but not their ability to cope. While the Government has created a monetary subsidy (US\$800 in 2011) for single mothers, this is not sufficient due to the high cost of living. Other mechanisms aimed at home-based care – including involving fathers in the care of children – have not been put in place. It is therefore essential to develop a framework that supports working mothers.

Care during early childhood (% of under five children) 2010



Source: CBS, Population and Housing Census 2010, preliminary figures based on the netbook-sample.

There are few recreational spaces for older children either. Most schools do not offer extracurricular activities, and those that do have a high cost, restricting access. The fact that many children and adolescents are not involved in extracurricular activities, including sports, contributes to the high levels of obesity as outlined in the previous section on health. Because of limited options, many children and adolescents spend three to four hours a day sitting in front of the television or playing video games, when the standard used by the Ministry of Sports (2010) says they should spend a maximum of two hours doing so.

## **Need for increased communication between schools and parents**

Another challenge related to education is the limited channels of communication between parents and schools. Parents are inclined to delegate all responsibility to teachers and not actively participate in the intellectual and emotional development of their children. It is important for the state to design inclusive policies that open bridges for relationships between schools and families so that collective solutions can be formulated to prevent and/or tackle problems such as teenage pregnancy, teenage depression, obesity, poor use of leisure time and the risks of violence.

## **Brain drain**

Due to the limited range of higher education in the island, a considerable number of students continue their studies abroad, mainly in the Netherlands though some go to Costa Rica or the United States. As mentioned previously, many Arubans who migrate to study choose to stay in the destination country due to better living conditions and employment opportunities. It is estimated that about 22,000 Arubans live in the Netherlands. A state policy is needed to strengthen the university to produce highly trained professionals who are committed to Aruba. Investing in university education could diversify and expand the range and scope of that institution. For example, through research, the university could be responsible for the continuous production of information, in conjunction with the CBS, regarding various social issues that currently lack visibility. This information could be the basis for state programmes.



Causal chain of the principle problems related to the education of children and adolescents

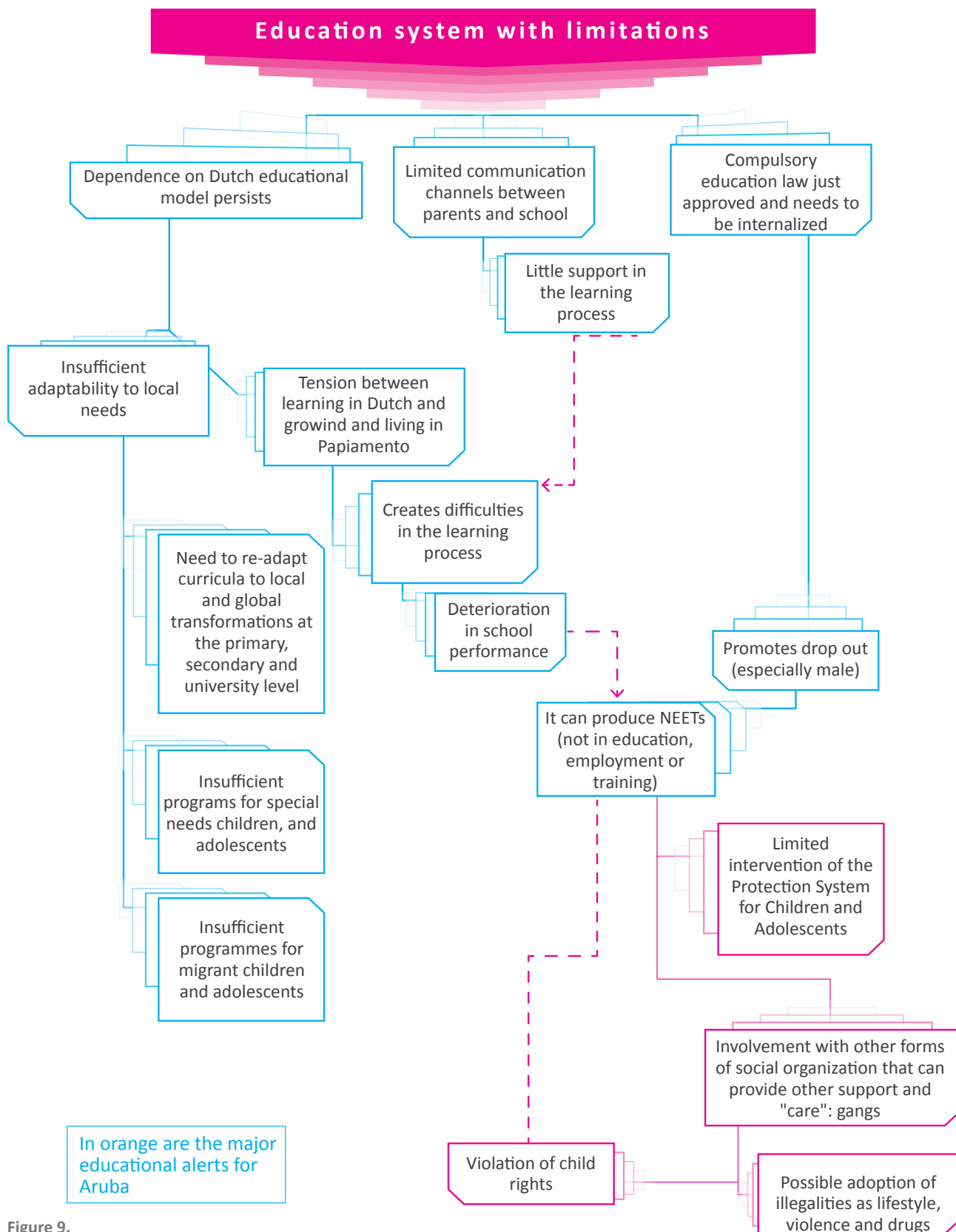


Figure 9.

<sup>1</sup> This causal chain was developed through a participatory approach





## 6. The Right to Protection

## 6. The Right to Protection

- An initial framework for the protection and care of children and adolescents has been set up, and numerous civil society organizations also work in this area.
- There is a need to continue improving the juvenile justice system with specialized judges and appropriate mechanisms for dealing with juvenile offenders in accordance with the CRC.
- Increased attention should be given to the implementation of programmes to prevent children from getting involved in activities that are in conflict with the law.
- There is a need to further strengthen coordination among the various state and civil society actors involved in the system of protection and care for children and adolescents to improve the provision of integrated services.
- Although there are many cases of domestic violence and child abuse and neglect, these issues remain hidden and underreported.
- Social programmes to support working mothers are inadequate, leaving children and adolescents unattended and at risk of getting involved in inappropriate behaviour.
- While there have been no reports of child sex tourism, it is quite common for young girls to have sexual relations with much older men in the expectation of money or gifts.

The Government has taken important steps to create a framework for child protection and care. The Bureau Sostenemi is responsible for combating child abuse in its various forms (emotional, physical and sexual) in collaboration with other public agencies. Its main activities include providing assistance and protection in cases of mistreatment or abuse of minors, giving advice and information and generating prevention and awareness processes to fight child abuse. As can be seen from Figure 10, the Bureau's main task is to redirect cases of neglect, abuse and/or violence against children to other state agencies that can provide adequate follow up in each case. In addition, violence – including violence against children – is criminalized and sexual abuse is also punishable by law. However, although the maximum penalty for the latter is eight years, this is not applied.

## The current child protection system in Aruba

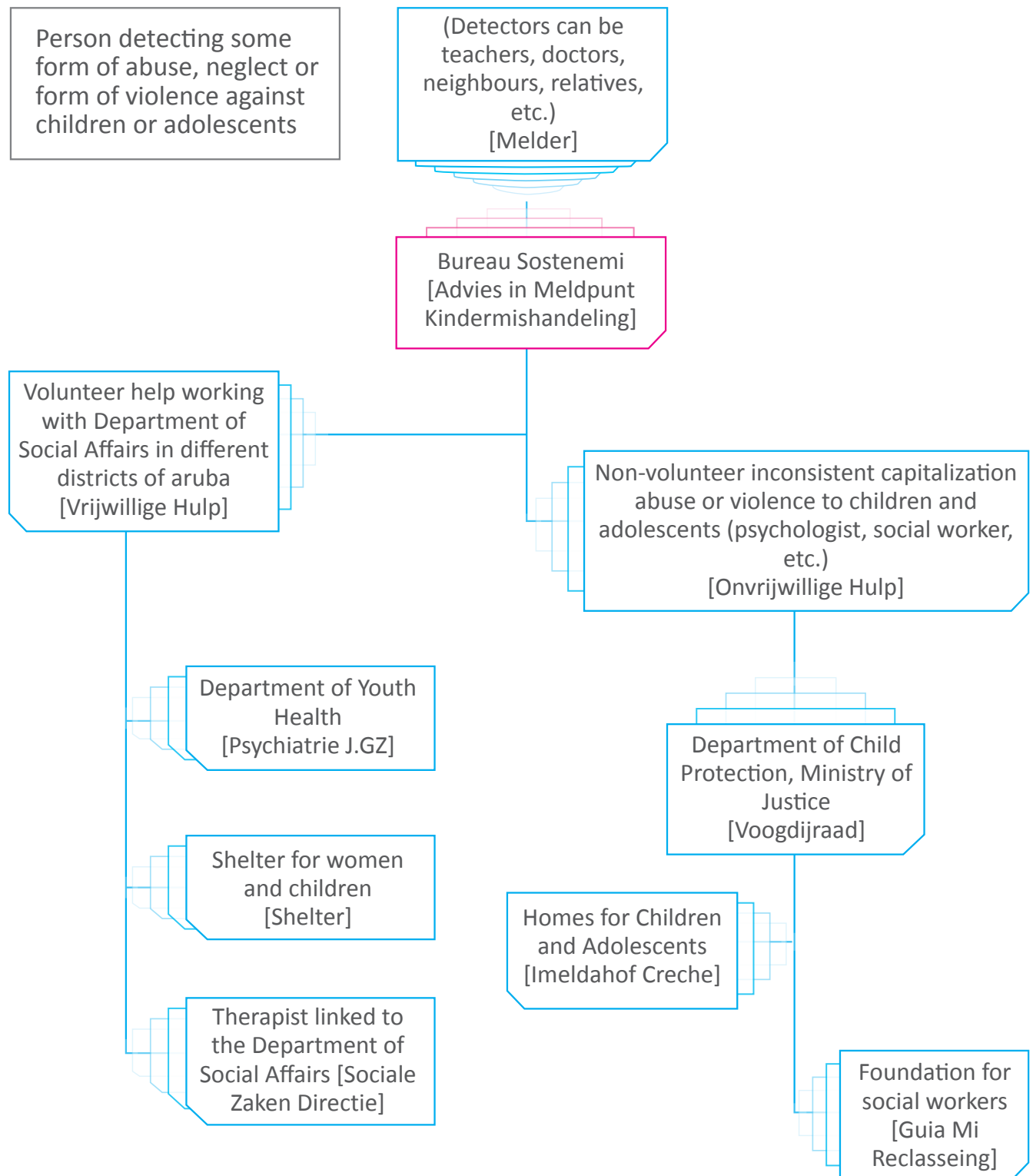


Figure 10.  
Source: Bureau Sostenemi, 2011.e: Bureau Sostenemi, 2011.

There are also numerous civil society organizations working with children and adolescents regarding child protection (see Box 4).



### Box 4. Examples of civil society involvement in child protection

CEDE Aruba initiated an investigation in 2008 into the level of abuse and neglect of children and adolescents on the island. This led to the launch of Tienda di Educacion, the main objective of which is to provide training, guidance and non-bureaucratic support to parents and educators on issues related to children's education, including abuse and neglect. The research identified several prevention projects that were operating in a fragmented way, and Tienda di Educacion plans to address this through bimonthly meetings with other organizations and the Government to work by consensus and in coordination. Although Tienda di Educacion is an independent programme, it is likely that the Government will include it as part of social policy to reduce and prevent child abuse and neglect.

Another programme is Stevig Ouderschap (Strong Parenting), which is run by the Yellow Cross Foundation. Its main objective is to guide the parents of newborn infants in the prevention of forms of abuse and neglect in the care of children. It offers a number of services in various districts, including briefings on parenthood during pregnancy and tips after birth on care for mothers and children. This programme also receives support from the state.

The criminal code provides that penalties for assault may be increased by one third if the offence is committed against the perpetrator's mother, father, spouse or child, and pre-trial detention may be imposed for all forms of domestic violence. The state also offers places to house women who have been battered (and their children).



## Progress achieved to date

### Improving juvenile justice

Among the recommendations the CRC Committee made to Aruba in 2009 were to implement alternatives to detention and reduce the use of pre-trial detention for underage offenders (see Annex). The new criminal code adopted in April 2012, which is largely based on the Dutch criminal code of 1995, established a new juvenile justice system. It should be noted, however, that the age of criminal responsibility is set at 12 years, which is substantively lower than in other countries in the region and in Europe. The code provides the court with a wider range of sanctions, including placement in a juvenile detention centre and training orders, that are intended to make the transition back into society as smooth as possible and offer young offenders a better chance for the future (UN Human Rights Council, 2012). However, the code also offers the possibility of applying the adult justice system to 16–17-year-olds. This measure should only be used as a last resort.

In the implementation of the new code, additional efforts will be needed to ensure there are specialized judge(s) for juvenile cases and CRC-training for all involved in dealing with young offenders. The implementation of the code could further benefit from the intensification of measures to prevent children from getting into conflict with the law in the first place (see below). Currently the Child Protection Office has the task of identifying children and adolescents who are living in dangerous and vulnerable conditions and carries out assessments of minors who could potentially commit offences. It deals with children and their parents and, if necessary, removes children from their homes to ensure a proper environment for their development. As discussed previously, this Office forms part of the child protection system and works in coordination with the Bureau Sostenemi.

There is also the Bureau Orthopedagogische Centrum Aruba, a treatment centre for adolescents with severe behavioural problems and who are subject to judicial review. The foundation Stichting Reclassering en Jeugdbescherming works with paroled adolescents to help stop them relapsing in to criminal behaviour. Finally, there is Korrektie Instituut Aruba, which is where sentences are served. Currently the institute is working on expanding its resources to implement a programme of psychological and social rehabilitation of young offenders and prevent recidivism.

## Challenges remaining

### Child abuse and neglect

Child abuse can thrive in the absence of a comprehensive protection system and is clearly a violation of the most basic rights of children and adolescents. Abuse includes physical and/or psychological violence as well as rape and sexual abuse. It usually occurs in the immediate surroundings in which children develop – the family, school and neighbourhood – and tends to reproduce itself from generation to generation. While there are no statistics that allow for a systematic account of its prevalence, clear indications of the magnitude of the situation were found.

According to reports from the Youth Telephone Line, about 1 in every 10 calls made by children in the last three years were because of violence. In 2008, a pilot study on 'Child Abuse in Aruba' looked at 182 cases of abuse, 48 per cent concerning boys and 52 per cent girls (CBS, 2010). Of the types of abuse found, physical neglect (25 per cent) stands out, followed by physical abuse (20 per cent), sexual abuse (16 per cent), emotional neglect (14 per cent), educational neglect (12 per cent) and emotional abuse (6 per cent). While the number of cases suggests little difference between girls and boys, the types of abuse varied. For example, out of 29 sexual abuse cases, 72 per cent were girls. More girls than boys were also affected by physical (58 per cent) and emotional (60 per cent) abuse. On the other hand, boys appear to be affected more than girls by situations of physical (63 per cent) and educational (60 per cent) neglect (ibid.).

Data from the Bureau Sostenemi (2010) reveal that it treated 228 cases related to physical, mental and emotional neglect, sexual abuse and domestic violence in 2011. Table 2 shows the number of cases that the Bureau recorded over 2011 and in the first two months of 2012. The 309 cases of abuse, neglect or domestic violence recorded in those 14 months imply that, on average, 22 children or adolescents were reported to have been abused in some way each month. Physical or emotional neglect are the highest number of cases, 181, followed by physical or emotional abuse with 61 cases. The large number of cases related to sexual abuse and domestic violence should also be noted.

**Table 2.** Total cases of abuse, neglect or domestic violence recorded by Bureau Sostenemi, January 2011–February 2012

	2011 – Feb 2012
Neglect (physical and emotional)	181
Abuse (physical and emotional)	61
Sexual abuse	55
Domestic violence	12
<b>Total</b>	<b>309</b>

Intra-familial sexual abuse and incest cases are said to be a major issue on the island. However, there are no statistical data available to further analyse this. It would therefore be important to create more mechanisms to measure and address these often hidden forms of abuse.

## **Causes of abuse and neglect in the family**

Since parents in Aruba often have to take multiple jobs to gain a livelihood, it can be difficult for them to also cope with the demands of their children and increases the likelihood of emotional or physical abuse. Moreover, there is often only one parent taking on both the financial and childrearing responsibilities: the 2010 census shows that 3 in 10 children live in single-parent households and where parents are divorced or separated. Research has shown that there is a slight increase in the risk of child abuse or neglect in single-parent families (due to the lack of support and likelihood of greater poverty and stress).

The tendency for children and adolescents on the island to grow up without adult guidance seems to be increasing. When young people have personal or school-related problems, they often turn not to their parents but to their friends, television or the Internet, getting information and influences that are not always the most suitable. Continuous use of devices such as cell phones and computers can isolate children and adolescents from their families and increase the lack of communication within the home. Young people may start to question the authority of their parents, who then resort to violence as a form of discipline. In addition, abusive behaviour is transmitted across generations, with children who learn violent behaviour from their parents going on to abuse their own children in turn.

## **Consequences of child abuse**

The most complex aspect of child abuse is that, in many cases, children and adolescents are not aware they are being abused and, if they are, usually prefer to keep quiet to avoid further problems. Similarly, friends and neighbours of families where there are forms of domestic violence do not often make public complaints. Thus, rather than being reversed the abuse begins to be normalized within the social relations between adults and children or adolescents. This process of 'naturalization' of violence has direct effects on the mental health of children and, as noted above, can lead to the perpetuation of this violence in later life as if it is the normal form of relationship.

Another way that child abuse and neglect is expressed is teenage pregnancy, a problem that was also identified in the right to health section, and adolescents who become pregnant are generally not prepared to be mothers or care for their children. A further possible result is the creation of 'gangs'. Teenagers especially tend to form these groups to meet the sense of belonging that does not occur in the home and to fill up their free time.

### Child prostitution and trafficking

According to the Coordinating Committee Against Trafficking in Persons, Aruba it is primarily a destination country for sex trafficking and forced labour (US Department of State, 2012). There have been no reports of child sex tourism occurring in Aruba or of Arubans participating in international sex tourism. However, the phenomenon of young girls having sexual relations with much older men ('sugar daddies') in return for money or gifts is quite common.

While the Government does not yet fully comply with the minimum standards for the elimination of trafficking, it is making significant efforts to do so. It has identified labour trafficking victims, formalized a checklist of common signs of trafficking for officials and expanded public awareness-raising efforts labour (US Department of State, 2012). The Aruba Anti Human Trafficking and Smuggling Taskforce, an interdepartmental and interdisciplinary working group, was established in 2007.

### Lack of an integrated system of care and protection

While the existence of the Bureau Sostenemi and its work with other organizations is undoubtedly a crucial first step on the island to improve the protection of children, it is not enough. A major constraint is the absence of a genuine, integrated system of protection and comprehensive care for children and adolescents with extensive coordination between state actors and civil society organizations. The current system is still not well articulated and there is a need for further coordination – for example, between health and social ministries to ensure the mental health of all children who have been victims of child abuse. It is also essential to create permanent programmes to raise awareness in society of the importance of detecting and reporting child abuse.

An efficient integrated system of comprehensive care and protection should be part of a consistent state policy that also includes a specific code for children and adolescents (which defines one state authority to formulate government policy and another to provide assistance) and a system of juvenile justice (see Figure 11). Government ministries and civil society organizations working on behalf of children should work together on developing the policy.





### The three key elements of a social policy for childhood and adolescence

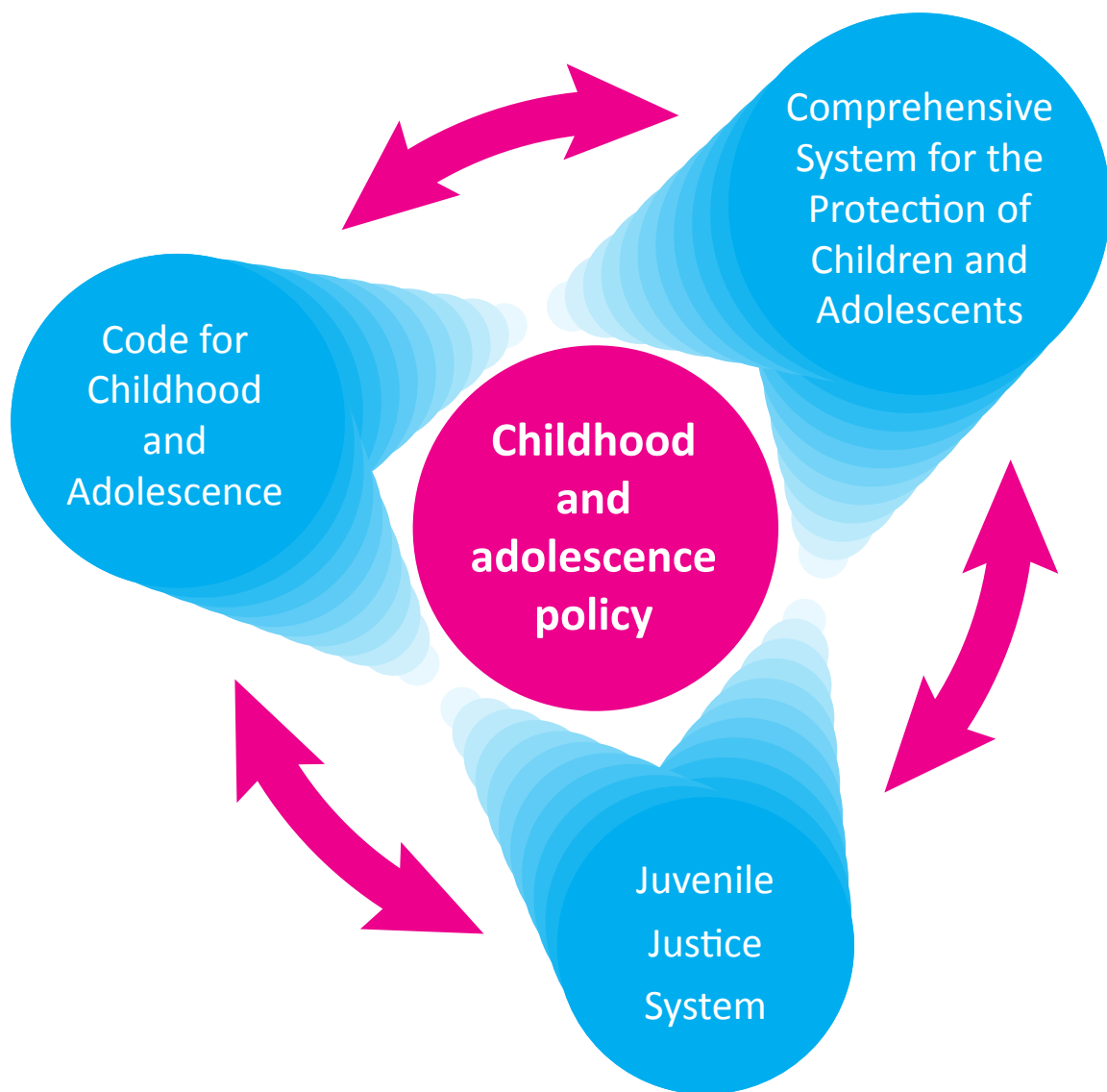


Figure 11.

Only with the full participation of civil society, and in particular children and adolescents, will it be possible to set up such a truly comprehensive system. Additionally, a specific information system on children and adolescents, broken down by various age groups and able to perform actual tracking, monitoring and evaluation of the situation and the impacts of policies, programmes and activities carried on this age group, should be created. Finally, diverse sources of funding should be identified to support this work.

## Children in conflict with the law

Research by van der Wal (2011) suggests that levels of juvenile delinquency in Aruba do not add up to an alarming situation. Although just over half of the 1,077 adolescents between the ages of 10 - 18 in her survey indicated to have committed any of the offenses measured in the study and 40 per cent had done so in the last 12 months, the vast majority of these offences were minor: 34 per cent were related to illegal music and software downloads and 31 per cent to possession of illegal fireworks. The remaining respondents said they had committed public order offences such as damaging a public good or spray painting on walls (18 per cent); internet based offences, such as sending intimidating messages (15 per cent); and minor property offences (14.5 per cent). Less than 1 per cent said they had committed serious offences such as theft of private property, drug offences or violent crimes. The study also showed a tendency for out-of-school adolescents to commit more criminal acts than those in school.

This ties in directly with the need for additional training alternatives for adolescents, especially boys, who drop out or are expelled from the school system. To achieve this goal it is essential that the state design and implement inter-ministerial policies in conjunction with social and educational ministries to detect dropouts or expelled teenagers and re-insert them immediately into education programmes. This will prevent the growth in numbers of NEETs (young people not in education, employment or training) and reduce juvenile delinquency.

It is essential to develop and consolidate a comprehensive system, favouring the rights approach, that is able to identify potential juvenile offenders, promote the rehabilitation of offenders, avoid the use of severe sanctions, focus on learning processes and prevent a relapse into juvenile delinquency. This would involve coordinated efforts between the ministries of health, social affairs, education and, of course, justice.



## Causal chain of the principal problems related to the protection of children and adolescents

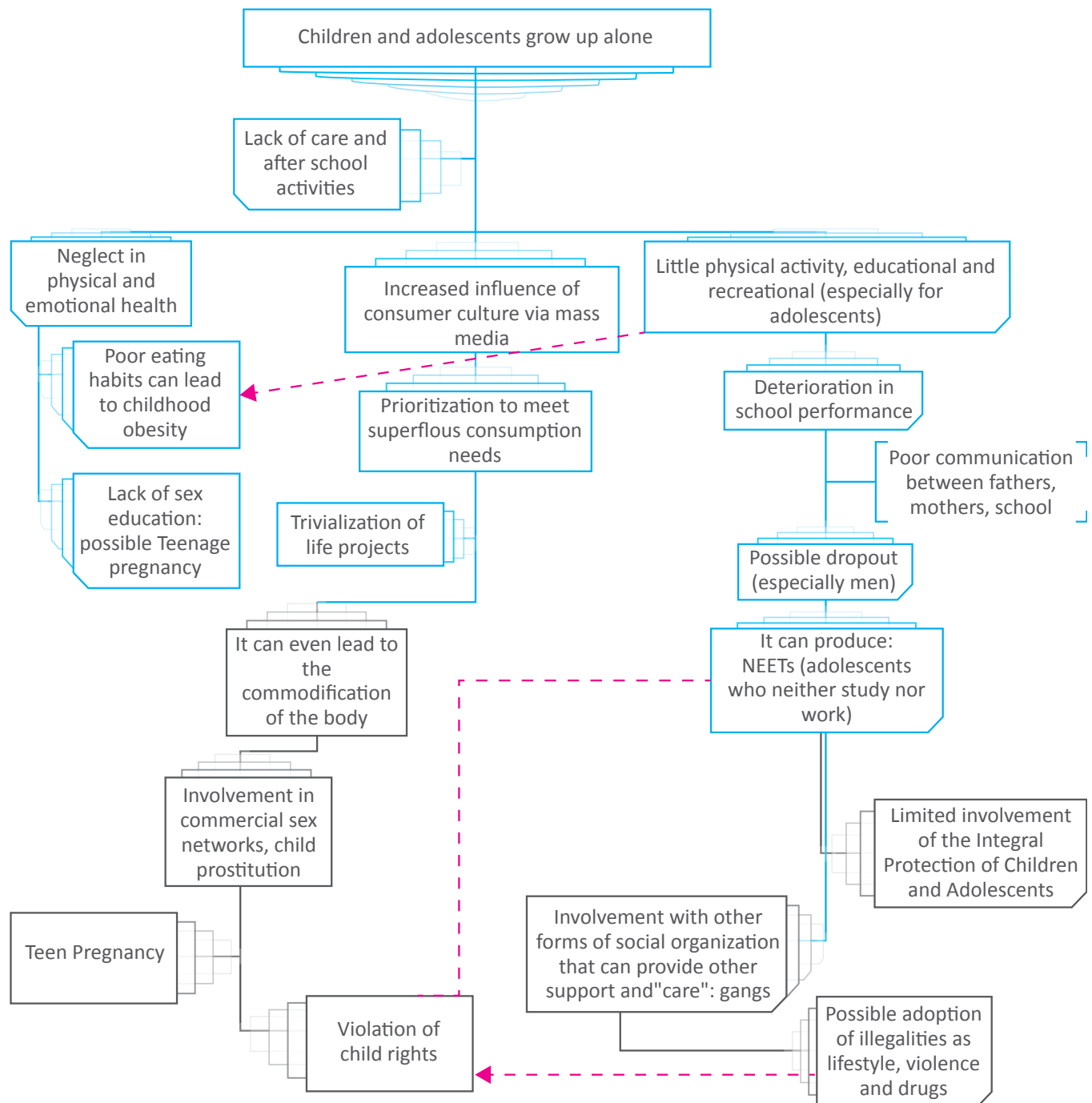


Figure 12.







## 7. The Right to Participation

## 7. The Right to Participation

- Nine civil society organizations work with and for adolescents to promote youth participation and the fulfilment of their rights.
- The Youth Parliament aims to ensure that the voices of young people are heard, valued and taken into account in policy decisions that affect their lives.
- Civil society organizations work in isolation from public institutions rather than working in cooperation.
- Although 1 in 10 children and adolescents is foreign born, the situation of undocumented immigrant children has been invisible and immigrants are often socially excluded.

### Listening to children

Child and youth participation on Aruba is organized through nine foundations working with and for the promotion of youth participation and the fulfilment of their rights, including the Youth Parliament (see Box 5).

#### Box 5. Aruba's Youth Parliament

The Youth Parliament (Parlamento Hubenil) is a model to promote youth participation and establish channels of dialogue between the state and adolescents. It was founded in June 2003 under the guidance of the Minister of Economy, Social and Cultural Affairs with the aim of promoting the social participation of young people. Members, who are aged between 14 and 23, are chosen through competitions in the school system. Thus, in keeping with the mandate of the CRC, it is expected that through this Parliament the voices of young people will be heard, valued and taken into account in policy decisions that affect their lives. Members prepare, present and discuss projects with the Aruban authorities to ensure that their problems are put on the table and solutions formulated. The group has a president and vice president. Since its establishment the Youth Parliament has carried out a number of projects targeting youth, including events against drug and alcohol use and in favour of safe sex and a survey of pupils to find out what they think about the school system. In addition, the Parliament has its own debating programme on television.

The Youth Telephone Line has also been doing important work training young people to provide emotional support and advice to their peers, especially those who contact them (by telephone, chat or e-mail) to say they have been victims of forms of violence.

These are important first steps towards creating participatory channels. It would be desirable for civil society organizations to work in cooperation with the public institutions that provide health care, education and child protection rather than working in isolation.

## The participation of women

Access to and active participation of women in public spaces, traditionally assigned to men, is one of the fundamental struggles of women in the pursuit of equal opportunities. After six parliamentary elections in Aruba, however, the reality of women's representation has changed very little: In 10 years, there has only been an increase of two seats for women (from 19 men and 2 women to 17 men and 4 women). Moreover, in terms of the labour market, there are still cases in which women cannot access certain occupational niches often in the tourism sector. Although women have achieved levels of education equal to – and sometimes higher than – those of men, this has not necessarily translated into improvements in working conditions. Overall, there is a 10 per cent wage gap between women and men (CBS, 2010). Undocumented immigrant women often receive unfair monetary remuneration for their work and work long hours under unfavourable conditions. Because of their status, many of them prefer to endure abuse rather than making claims about their precarious situation, thereby avoiding possible deportation.

There is an absence of social and state responses accompanying the inclusion of women in the workplace and in the public sphere. As discussed earlier, women's roles as professionals and mothers may come into conflict because there is not an equitable division of responsibilities within the home. On the one hand, a woman's employment opportunities may be limited by her need to spend time on childcare; on the other hand, she may be forced to leave her child(ren) with unsuitable caregivers, such as a day-care centre that may be the site of neglect or even abuse.

### Violence against women

Women are also the victims of domestic violence. Within the home, men sometimes resort to violence instead of dialogue to release the stress of working long hours and financial problems. Alcohol and drugs are very common on the island and are another contributing factor. Moreover, in a patriarchal society such as Aruba, a man's self esteem may be threatened by women's emancipation. There is some evidence that foreign-born women married to Arubans in particular may suffer domestic abuse but not report it because they are economically dependent or are in the process of obtaining residence (which requires at least five years legal cohabitation with a Aruban). Domestic violence is extremely difficult to eradicate because it is not openly talked about.

### Addressing the situation of women

Programmes carried out to improve the situation of women in Aruba lack continuity. Although there are several foundations that work in this area, there is no general platform where they can collectively discuss the issues and no national gender policy. One important initiative by the Government, however, is the establishment of a Centre for the Development of Women (Centro pa Desaroyo di Hende Muher, CEDEHM), created in 2011 under the Ministry of Economic Affairs, Social Affairs and Culture to implement CEDAW. It works in cooperation with other civil society organizations – such as the Pro LechiMama and Mary Joan Foundations – for the development and protection of women's rights. Additionally, it has launched a programme to help single and divorced mothers become more self-reliant by offering them guidance and support aimed at reintegration into the labour market or school system.

Causal chain of the principal problems surrounding the situation of women

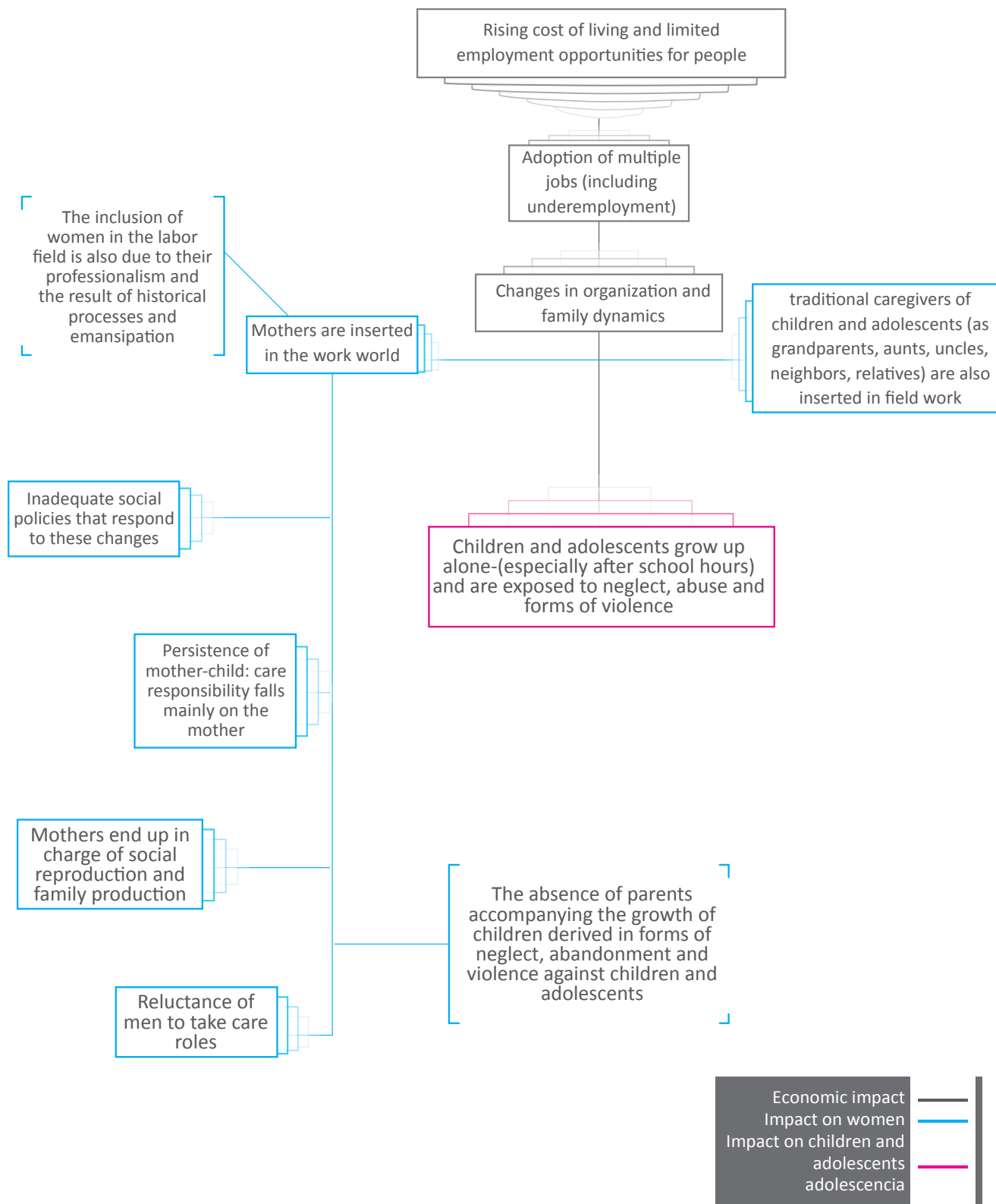


Figure 13.





## 8.

## Conclusions and recommendations



## 8. Conclusions and recommendations

This combined quantitative and qualitative analysis of Aruba reveals that there have been important advances towards fulfilling the rights of children and to achieving the Millennium Development Goals (MDGs). In the case of poverty, it could be argued that the encouraging living conditions of the population have shaped a country virtually free of poverty. There is no hunger, primary education is universal, the elimination of gender differences has been promoted, more women than men are in high school and college, infant mortality has been reduced, only a small percentage of the population has HIV and AIDS, malaria and tuberculosis are not registered as public health problems and 100 per cent of the population has access to clean water.

Of course these advances would not have been possible without social investment by the state. Government spending has been increasing over the last decade, with health, education and social protection accounting on average for 8, 6.7 and 7.4 per cent of GDP respectively in 1999–2009. This important social spending is the best way to ensure compliance with the rights of children, adolescents and women living on the island.

However, while research findings reveal that Aruba has largely fulfilled many of the rights and achieved the goals defined in international agreements, at the same time others have not been met. There are a number of social, economic, political and cultural problems affecting children and women – problems that seem to have been invisible on the island and therefore still need to be addressed. These issues have their root causes in the historical and political particularities of Aruba, which include relative state autonomy and both migration and immigration leading to a culturally diverse society.

The enormous potential of Aruba comes from its good education, health, social protection and job market and the fact that it is going through a unique historical juncture: in the midst of building a state. The combination of these facts provides the country with an opportunity to undertake state and social actions in order to guarantee the fulfilment of the rights of children, adolescents and women. The recommendations presented here are based on analysis of evidence obtained through the process of elaborating this SITAN (including analysis of statistical information, analysis of legislation and review of existing research) and also build on information obtained from local informants from Government and civil society, who are highly committed to the development of their country.

# Recommendations

## General

- As part of the Kingdom of the Netherlands, Aruba has committed to implementing a number of international treaties and complying with international commitments. In relation to the rights of children, adolescents and women, this means knowing the CRC, CEDAW and the MDGs in depth and then reviewing and revising laws, as necessary, and implementing comprehensive policies to ensure compliance.
- A consistent state policy is needed that responds to the needs of urban children and adolescents. This should include three fundamental elements: an efficient integrated system of comprehensive care and protection of children and adolescents; a specific code for children and adolescents that defines one state authority to formulate government policy and another to provide assistance; and the system of juvenile justice. The Ministries of Economy, Social and Cultural Affairs, Education and Justice, Public Health and Sports, and Finance, Communication, Utility and Energy, in particular, should be involved in developing the policy along with civil society organizations working on behalf of children.
- It would be highly advisable to build a four-way relationship between the state, civil society organizations, the private sector and trade unions so as to reverse the existing institutional isolation and generate processes of dialogue and working together to find genuine solutions for social problems. The Government is encouraged to lead meetings and articulate this four-way interface in such a way that these sectors can become more involved in fulfilling the rights of children, adolescents and women. For example, the tourism industry, as the main economic driver, could find ways to address the social problems faced by its workers, particularly women, in relation to care of their children during working hours.
- It is important to continue to deepen the knowledge of the situation of children, adolescents and women on the island. Opinion surveys, employment surveys and breakdowns by origin or nationality in order to capture variations of the population would aid state planning. This monitoring could be undertaken by the Ministry of Economic, Social and Cultural Affairs in coordination with the University of Aruba. Collaborative research could also open new spaces for dialogue and joint action.
- Regional integration could be a way to support a different type of social and economic development. Creating processes of dialogue on cultural and economic exchange with other countries in the Caribbean and the Americas could provide opportunities for exposure to experiences and approaches for the universalization of child rights (including in health, education, protection and participation).

## Health

- Special efforts should be made to tackle the obesity problem that affects many children on the island. These efforts – including the promotion of sports and exercise as well as the launch of a food security policy and the promotion of a balanced and healthy diet – should be implemented in coordination with various ministries, including health and education, along with civil society organizations. In addition, as obesity may well be reduced by encouraging women to breastfeed their children in the first months of life, it would be highly desirable to create a nationwide campaign to promote breastfeeding, which includes a commitment from workplaces to ensure that women have breaks (and private spaces) to breastfeed or express milk.
- Continue and expand the implementation of sex education programmes for the prevention of teenage pregnancy. Obligatory sex and reproductive education modules should be incorporated into all kinds of schools.

## Education

- State actions should be directed to: (1) further progress in creating a system of education that responds to a culturally diverse society; (2) ensuring retention of children and adolescents; (3) changing the current Dutch-dependent educational model; (4) reinforcing educational quality control systems; (5) training teachers and developing educational strategies to integrate children with special educational needs into regular schools; and (6) creating comprehensive training alternatives (social and psychological) and rehabilitation for children and adolescents who are outside the school system because they dropped out or were expelled.
- Additional after-school educational spaces and recreational opportunities have to be created for children and adolescents. This will allow parents to cope with the multiple responsibilities of caring for their children while at the same time working. Moreover, organized after-school programmes for adolescents will help encourage them to stay in education.
- It is essential to offer an educational rehabilitation programme for children and young people who have dropped out of school so that they do not later see limited opportunities for self-development. Reducing the number of out-of-school-children would be an important contribution to economic and social development.

## Protection

- Although there is a protection system for children and adolescents in place, it is crucial that a sustained and collaborative effort be launched to promote and strengthen the role played by the Bureau Sostenemi in the implementation of child protection efforts.
- The juvenile justice system should be further developed and strengthened, including through the use of specialized judges and appropriate mechanisms for dealing with juvenile offenders in accordance with the CRC, increasing the age of criminal responsibility and the implementation of programmes and initiatives aimed at preventing children from getting into conflict with the law.

- The problem of family violence and abuse should be made visible and the population should be educated to prevent the normalization of such violence. Moreover, the Ministries of the Economy, Social Affairs and Culture, Public Health and Sports, and Education and Justice should work together to implement a programme of mental health care for children, adolescents and women who have been victims. This programme should work with schools and hospitals to detect and treat victims and avoid the perpetuation of violence.
- It is vital to develop joint social and economic policies regarding the employment of women and provide mothers with childcare support, especially in the early years. This should include involving fathers as caregivers.
- The day-care quality control system, designed in response to the recommendations of the CRC Committee in 2009, should be applied as soon as possible for the purpose of correcting deficiencies and providing safe spaces for children.

## Participation

- Mechanisms should be created to promote and strengthen youth participation at school – for example, through the formation of student councils – and in public spaces.
- A gender policy is needed to address the inequalities that still persist between women and men in the areas of labour and social and political participation. This should be developed across all ministries through a collective exercise involving discussion of the various problems identified and in agreement with civil society organizations working for women in Aruba.
- To overcome the social boundaries detected between immigrants and Arubans, it is critical that the situation of the foreign-born population – including undocumented women and children – gains visibility. Only by generating information about their living conditions can the state take action. It is recommended that qualitative and quantitative research be undertaken on this topic, perhaps through collaboration between the CBS, the University of Aruba and the Department of Social Affairs, and that social integration and immigration awareness programmes are implemented.
- As noted throughout these pages, Aruba has huge potential and has already demonstrated significant progress in terms of the social welfare of its population and meeting the goals set by the CRC, CEDAW and the MDGs. Now it needs to take the political and social decision to resolutely tackle the challenges encountered to ensure a better present and future for its population. Only through collective effort can ongoing and complete compliance with the rights of children, adolescents and women be assured.

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A young girl with dark, curly hair tied back with a purple scrunchie is sitting at a wooden desk in a classroom. She is wearing a light blue polo shirt and looking towards the right. In the background, there is a green chalkboard with some faint writing and other classroom furniture.

## **Annex:** **Monitoring the CRC** recommendations for Aruba

Year	1. Alternative care system			
2011	Problem identified	Recommendations	Measures taken	Observations
	Absence of compulsory education law	Create a new law to make education compulsory	The Aruban Parliament adopted the compulsory education law on 20 December 2011 and the Government ratified it on 23 December 2011.	Despite this legal advance, by-laws and enforcement mechanisms must be created and implemented.
2008	Limited infrastructure for young people to participate in after-school activities, leading to long waiting lists.	Create alternative care centres for young people and reduce the waiting lists.	<p>The Centre for Children with Special Needs (Orthopedagogische Centrum) was established.</p> <p>Due to the high costs of care, Mi Spot (an after-school centre for children aged 4–12 years) was incorporated in the Traimerdia programme in 2009. This programme is subsidised by the Government.</p> <p>There are more than 50 private and public organizations that work on issues regarding children's rights. Some examples are Respetami, Bureau Sotenemi and Pa nos Muchanan.</p>	<p>The performance of the Centre depends on having qualified staff, including behavioural therapists for children with special needs</p> <p>Cooperation programmes with Dutch institutions have taken place in order to improve the way professionals treat Aruban children and young people.</p> <p>Like Traimerdia most programmes focus exclusively on children under 12 years. A comprehensive plan for youth is therefore being formulated.</p> <p>There are governmental programmes focused on reducing neglect and increasing after-school activities for adolescents.</p> <p>The Ministry of Economic Affairs, Social Affairs and Culture is developing a plan to reintegrate out-of-school children between 13 and 16 into the system.</p> <p>The Department of Education is preparing a Multi-Disciplinary Centre to include a new after-school care centre for young people.</p> <p>The Department of Health is trying to apply a holistic approach to the prevention of neglect.</p> <p>The Government is creating an after-school programme for adolescents; they expect this to be in place within a year. They are also trying to regulate expulsions of adolescents who have problems in schools, such as drug abuse or pregnancy, and to give support to working parents. Some forms of abuse (physical, sexual and emotional) are present in the day-cares centres and it is necessary to improve their quality. There is a law in process to do this. There is a lack of integration between the work of civil society organizations and government agencies.</p>
	Limited number of centres for children with special needs	Create alternative care centres for children, including preventive care and reduced waiting lists.		



<b>2. Complaint system of public care</b>			
Problem identified	Recommendations	Measures taken	Observations
Absence of a complaint system to monitor the quality of the public care system	Take measures to ensure constant monitoring of the complaint system of public care	Two studies of client satisfaction were conducted in 2008. The results were the basis for the implementation of a new procedure in 2009.  A commission is being created to handle complaints.	Although no official complaints procedure within the social sector exists yet, the directors of the residential facilities and the authorities in charge of placing procedures meet periodically to discuss individual cases and deal with complaints.
<b>3. Access to medical treatment</b>			
Problem identified	Recommendations	Measures taken	Observations
Possible limitations in access to medical treatment by uninsured children and uninsured pregnant women.	Take measures to ensure the access of children and pregnant women to medical treatment even though they are not covered by the social system.	100 per cent of the Aruban population have access to social insurance, including documented immigrants. Yellow Cross – an antenatal programme that works with immigrants – has also been implemented (Ministry of Justice and Education).	If immigrants are undocumented, they cannot use the health-care system but they can pay for medical treatment. As soon as they legalize their status they get full access to social services.  Children of immigrants are not registered in the Civil Registry; hence, they do not have access to several civil rights. New measures should be taken on this issue.



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4. Care, education and social integration for disabled children			
Problem identified	Recommendations	Measures taken	Observations
There is no round-the-clock care for children with disabilities.	Take measures to improve the care system for disabled children, particularly in educational services or day-care centres.	Special programmes are in place in schools for pupils with disabilities, and teachers are given extra assistance in order to make it possible for these children to follow regular lessons.	The public social institutions are not always able to provide specialized attention, care and education to children with disabilities.  The current system does not detect or help students that are lagging behind. Sometimes, teachers are not capable of identifying children's problems and treating them accordingly. There are not enough specific programmes for children with special needs.
Discrimination against and limited social integration of disabled children.	Create special programmes to combat any form of social discrimination and to integrate disabled children.	<p>Certain schools have been adapted for the access of pupils with disabilities, thanks to the intervention of the board of governors and parents' committee.</p> <p>Schools receive special subsidies for children with disabilities, and transport to and from school is arranged.</p> <p>There are several NGOs active for children with disabilities and their families, for example, the Aruba Youth Association.</p> <p>The Government subsidizes the SVGA Foundation for mentally disabled children. SVGA works in schools and promotes activities such as the Special Olympics. In 2011 it started expanding round-the-clock care for children with multiple handicaps.</p> <p>The Sonrisa Foundation for parents with disabled children provides after-school programmes for mentally disabled children.</p> <p>The Mi Por Foundation provides therapy and programmes for children with physical disabilities.</p>	<p>When children's special needs are not addressed in schools, they are not able to keep up and they may drop out. If they do, there is no legal mechanism to put them back. Usually, children who drop out do not work either because the law prohibits child labour, so they become NEETs (not in education, employment or training), and they could end up forming gangs or joining criminal networks.</p> <p>The Ministry of Education is working to provide a form of education more specific for children's needs in order to prevent dropouts.</p> <p>Immigrant children may be excluded from school because of their legal status and language delays. As schools are in Dutch and many immigrant children do not speak the language, they are not able to study.</p> <p>The law says that immigrant children have the right to go to school even if they are undocumented. However, many schools do not accept them, mostly because there is not enough infrastructure or teachers.</p>

<b>5. Prevention of drug use</b>			
Problem identified	Recommendations	Measures taken	Observations
Drug use by children	Take measures to prevent drug use in children	There is a law that prohibits the use of drugs among children.  FADA, an NGO, offers prevention programmes for young people.	Various foundations and NGOs have worked hard to raise awareness about drug use and there are prevention programmes. However, there is a need to increase awareness as well as to reduce the number of dropouts and hence the number of NEETs, who may become involved with drugs.
<b>6. Prevention of bullying in schools</b>			
Problem identified	Recommendations	Measures taken	Observations
Bullying in schools	Take measures to prevent bullying in schools	Respetami, the Youth Telephone Line and some other NGOs have organized prevention programmes in schools on this subject.	Bullying can lead to dropouts and many other social problems among adolescents.  Respetami and the Department of Education are conducting an investigation to understand the causes of dropouts.  Even though there is growing attention to the need to prevent sexual abuse, there are not enough campaigns to stop it.



2005-2006-2007	<b>7. Obtaining information about the existence of commercial sexual exploitation of children</b>			
	Problem identified	Recommendations	Measures taken	Observations
	Limited research into the commercial sexual exploitation of children	Implement a systematic investigation to obtain information about this problem. This should be the basis for the Government and society to take measures over commercial and sexual exploitation of children.	In the second half of 2004, the International Organization of Migration (IOM) carried out an exploratory study of human trafficking in the Netherlands Antilles, the main emphasis being on women and children. At the time of the study no commercial sexual exploitation of children was found to be taking place in the islands.	There is no specific data about this due to the fact that most of the people do not consider it as a real problem.
	<b>8. Types of crimes which may lead to pre-trial detention of children</b>			
	Problem identified	Recommendations	Measures taken	Observations
	Certain types of crimes may lead to pre-trial detention of children	Implement alternatives to pre-trial detention and plans to reduce its use.	<p>The types of crimes that may lead to pre-trial detention of children are: joyriding, assault, robbery, gang fights with weapon, murder and rape.</p> <p>Pre-trial detention is permitted for all offences carrying a penalty of four years' imprisonment or more. However, the court has the discretion to waive pre-trial detention at the committal hearing. This option does not exist in the case of adult offenders.</p> <p>Article 484 of the criminal code requires the court to consider suspension of any pre-trial detention following the official committal.</p> <p>A common alternative to pre-trial detention is supervision by the Probation Service.</p>	Until recently there was no special law system that applied only to children and adolescents. However, when judging a case in which a minor was involved in criminal acts, the judge might take this fact into consideration in order to apply the sentence.

2008-2009	<b>9. Priorities of the State Party</b>			
	Problem identified	Recommendations	Measures taken	Observations
	Issues affecting children that require the most urgent attention in regard to the implementation of the Convention.	Justice: Open a juvenile prison; set up a probation unit to ensure that children who have been in contact with the criminal justice system can be supervised on their return to society; introduce and enforce a juvenile criminal law.	<p>The new criminal code, based on the Dutch model, enables courts to take in consideration the particular circumstances of offenders who are under 18 years old.</p> <p>The prison in Aruba [Korrektilnstituut Aruba or KIA, renamed Instituto Correccional Nacional or ICN] recently underwent alterations during which the youth wing was renovated and expanded to 36 places for young offenders in pre-trial detention. The ICN is working to improve the preparation of young prisoners for their return to society.</p> <p>Bureau Sostemi functions as the core of the integral prevention system for children.</p> <p>Project Cu Futuro [With a Future] has been implemented. This project aims to strengthen the chain of cooperation between the different organizations and institutions that provide care and assistance to children.</p> <p>The National Plan of Education 2007–2017 was created.</p> <p>The Centre for Children with Special Needs was established.</p>	<p>A major issue with the school system is that education is in Dutch even though most children's native language is Papiamentu. The Government wants to improve this situation in the new curricula. Preparations are currently under way to introduce Papiamentu as the language of instruction in primary education.</p> <p>There is not enough financial assistance for children with special needs. For example, speech therapy is not included in health care. Therefore, there is special education, but not enough medical coverage.</p> <p>Neglect of children and teenagers can lead to the formation of gangs. There are governmental programmes focused on reducing this neglect.</p> <p>Abuses against children happen mostly at home, but schools can play a very important role in identifying and preventing this abuse. Telephon pa Juventd lectures in schools about violence, negligence and abuse. Bureau Sostemi gives information to teachers about signs that may be identified and what steps they must take. The Bureau also provides information to parents and other family members, the police and officials. An important achievement is to have more cases reported because in many instances nobody says anything about abuse even if they know that it is happening.</p> <p>There is a law to prevent child abuse. Children are conscious of their rights but sometimes they do not report it. There is the need to identify the gap between what children learn about their rights and what the young parents know.</p> <p>The Youth Telephone Line provides children with an opportunity to talk and gives them guidance on finding help if they suffer abuse, but the relationship between reporting a crime and the legal consequences needs to be strengthened.</p>

		<p>Education: Introduce compulsory education in the national law; focus on children who have been excluded from school; address the problems of children who are under-performing at school or who drop out of the school system particularly boys.</p>	<p>A law that protects mothers who want to breastfeed their children up to the age of nine months at their place of employment was adopted by Parliament on 19 May 2007 and incorporated into the civil code.</p> <p>The welfare amount was increased 25 per cent, including an extra subsidy (US\$112) for parents whose children go to school.</p>	<p>Parents do not know how to discipline their children. Therefore, children do not learn how to behave, causing problems at school and leading to gang activities. The Government is trying to make parents understand that it is their responsibility to discipline their children. There are many organizations that work with adolescents but not with their parents.</p> <p>Teenage pregnancy is very high. There are adolescents who are made pregnant by older men or 'sugar daddies'. There are campaigns to prevent teenage pregnancy but they should start earlier in girls' lives.</p> <p>There are programmes focused on reducing teenage pregnancy. Some organizations make condoms available in strategic locations for adolescents. There are also some campaigns around Carnival time.</p>
		<p>Health care: Take measures to address child abuse and neglect; implement campaigns to raise the awareness of prospective parents; take measures to identify children who are suffering emotional, physical or sexual abuse in their own surroundings [home, school or neighbourhood]; take measures against aggression and other behavioural difficulties among children; run campaigns to prevent teenage pregnancy</p>	<p>The Government has created a prevention policy on child abuse, with a focus on vulnerable families, offering them early childhood education.</p> <p>A new law to improve the quality of early childhood day-care facilities is in the process of implementation.</p> <p>A programme for teenage parents has been implemented offering counselling during and after pregnancy.</p> <p>The Centre for Women's Development (CEDEHM) was created.</p> <p>The Government has implemented a social policy targeting particular groups (financially vulnerable, families, elderly, disabled, legally vulnerable).</p> <p>Round-the-clock care and guidance for children with behavioural problems in day-care centres has been implemented including weekends.</p>	



2009	<b>10. Decrease obesity</b>			
	Problem identified	Recommendations	Measures taken	Observations
	Increased numbers of obese children	Implement programme to reduce overweight from 30 per cent to 25 per cent especially in children attending kindergarten.	The Department of Public Health put a programme in place in kindergartens in 2009 to reduce the percentage of children who are overweight from 30 per cent to 25 per cent over a period of 10 years. With the aid of guidelines promoting physical activity and healthy nutrition among children aged 4–6 years, the programme seeks to decrease the weight gain and encourage children to adopt a healthy lifestyle.	Obesity as an important health problem for children in Aruba. Moreover, many children are undernourished even if they are obese. The problem of obesity is a consequence of a number of factors: use of formula milks instead of breastfeeding, a diet without fruits or vegetables because they are too expensive and inactivity after schools. This can lead to hypertension and diabetes even before children are 10 years old.
2008	<b>11. Budget allocations in the areas of health and education</b>			
	Problem identified	Recommendations	Measures taken	Observations
	Article 4 of the CRC establishes that States must prioritize investment in health, education and social insurance. Despite this, States do not always assign a high enough percentage of the total budget to these areas.	Update information for 2006, 2007, 2008.	See section 3 of this report.	The budget of the Department of Economic, Cultural and Social Issues is US\$700 million, out of which 6 per cent is designated for the social area.  Aruba has an excellent statistical system run by the Census Bureau of Statistics. This allows the island to keep the social indicators up to date.
	<b>12. Trial as adults of persons below 18 and reported cases</b>			
	Problem identified	Recommendations	Data	Observations
	Provide updated data on the number of persons below 18 who have been tried as adults. Also inform the Committee on the number of reported cases of abuse or ill-treatment of children during their arrest and/or detention as well as on the follow-up given to these cases.			

**13. Children involved in sexual exploitation**

Identified need	Recommendations	Measures taken	Observations
Provide updated data on the number of children involved in sexual exploitation, including, pornography and trafficking, and the number of those children who were provided with access to recovery and social reintegration services.		<p>There have been no recent criminal law cases involving the sexual exploitation of Aruban children.</p> <p>Various bodies are charged with assisting the victims of child smuggling or child prostitution: Police Department, Guardianship Board [which has special powers to exercise authority over children in all kinds of situations in which they are at risk of abuse]; the Department of Social Affairs [provides accommodation, support and counselling through the social services]; Bureau Sostenemi [registers and reports cases of child abuse and neglect, but has not received any specific report of child smuggling or prostitution]; and the Victims Support Office [houses, supports and assists the victims of crimes during legal proceedings and refer them to other bodies].</p> <p>Whenever there is a case of possible child exploitation, the Public Prosecution Service has the power, pursuant to Book 1, article 272 of the new civil code, to remove children directly from parental responsibility or other authority and to make the Guardianship Board responsible for the child. Then the Department considers with whom the child should be placed and what kind of supervision she or he should receive.</p>	<p>There is no data for child labour, child abuse and trafficking, even if there are laws to prevent these issues.</p> <p>There were two cases regarding the possession and sale of child pornography, which became a criminal offence under the new legislation on sex offences. In both cases the perpetrators were tried and convicted. The video material in question was not actually produced in Aruba; it was downloaded to computers and then either distributed or retained for personal use.</p>

Questions regarding the Optional Protocol			
14. Statistical data			
Identified need	Recommendations	Information	Observations
Provide (if available) statistical data (including by sex, age group, urban/rural area) for the years 2005-2006-2007 and so on, for the following items:		The lack of this type of statistics remains a handicap	
• Number of reported cases of sale of children, child prostitution and child pornography, with a additional information on type of follow-up provided on the outcome of the cases, including prosecution, withdrawals and sanctions and rehabilitation for perpetrators.		No cases have been registered	
• Number of reported cases of children trafficked to and from Aruba for sexual exploitation			
• Number of reported cases of crime related to child sex tourism and follow up			
• Number of child victims provided with recovery assistance and compensation as indicated in Article 9, paragraphs 3 and 4 of the Protocol		No cases have been registered	
15. Children's ombudsperson			
Identified need	Recommendations	Measures taken	Observations
Establishment of a Children's Ombuds-person	Create an office of an ombudsperson or other independent monitoring mechanism on child rights which will be in charge of receiving the complains from or on behalf of children on violations of the Optional Protocol		The Youth Telephone Line conducts lectures in schools about violence, negligence and abuse.  Respetami, Sotenemi, Pa nos Muchanan and more than 50 organizations work on issues regarding children's rights.
16. Plans of action**			
Identified need	Recommendations	Measures taken	Observations
Indicate whether the State party has a plan of action in relation to the sale of children, children prostitution, and child pornography. If so, please provide information on the competent authorities responsible for its implementation and coordination.			

**17. Tougher sentencing for child pornography\*\***

Identified need	Recommendations	Measures taken	Observations
Indicate whether the recommendation from the Board of Procurators General to apply tougher sentencing in child pornography cases has been followed up.			

**18. Criminalizing certain kinds of advertising\*\***

Identified need	Recommendations	Measures taken	Observations
Indicate if any steps have been taken towards criminalizing the production and dissemination of material advertising the sale of children, child prostitution or child pornography			There is no law to prohibit demeaning images of women in advertising.

**19. Domestic and inter-country adoption and surrogacy\*\***

Provide information on the relevant framework on domestic and inter-country adoption procedures and surrogacy, including legislation criminalizing offences under article 3.			
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**Source:** Government of the Netherlands, 2009

**Notes:** \*\* Despite information having been requested from the Government, this was not submitted.



## Key findings

Photo: © UNICEF/UNI119848/LeMoyne

Research findings show that Aruba has fulfilled many of the goals defined in international agreements and, in general terms, the rights of children and women are met in an adequate manner. At the same time, however, several limitations to progress in the lives of children and women have only recently been placed on the public agenda. These limitations have structural causes linked to economic pressures that have led more and more Arubans to take multiple jobs to meet their basic needs and have had a detrimental effect on social relations, especially within households. This in turn has led to the reconfiguration of traditional roles and, in many cases, deterioration in the quality of care or neglect of children.



## The right to health

### Progress achieved

Overall, the health system is well organized, with adequate attention to the provision of health services for children and adolescents. A Department of Child and Youth Health provides good quality services and ensures the availability of adequate child health data. The health of children attending preschools and schools is monitored, including assessments of levels of obesity. In addition, the Department has started psychosocial health-care services aimed at promoting the sound socio-emotional development of all children in schools.

The infant mortality rate (under 1 year) was reduced by 75 per cent between 2000 and 2006 – from 6.2 to 1.6 per 1,000 live births. There is also a continuing low rate of child mortality (under 5 years). Antenatal care covers 99.2 per cent of women and 95.8 per cent have institutional deliveries. All children, including immigrants, have access to health insurance and 9 out of 10 children between 12 and 23 months are vaccinated before their first birthday. There is universal access to safe water and basic sanitation.

Aruba registers only 435 cases of HIV and AIDS of which very few are children. Mother-to-child transmission is very low (2 per cent), and these children are treated immediately after birth with antiretroviral therapy.

### Challenges remaining

Obesity is the main public health problem affecting children and adolescents (35 per cent of this group are overweight), leading to other diseases such as diabetes and hypertension. Some of the reasons for this include the limited local production of fruits and vegetables and the high costs of imports, which encourages the consumption of cheaper, high-calorie foods; the lack of regular involvement in physical activity by over three quarters of children aged between 6 and 11; and the low percentage of infants who are exclusively breastfed.

Teen pregnancy is also a phenomenon that requires continued attention, with adolescent girls accounting for just over 1 in 10 births. This limits their ability to achieve their goals and may put them at risk of ongoing poverty. There is limited dialogue between parents and children about sex and pregnancy prevention and a limited sexual education programmes in schools.

## The right to education

### Progress achieved

A law making education compulsory was passed by Parliament in 2011, and schooling is free apart from a minimal yearly contribution plus the costs of supplies and uniforms. There was already universal primary education, progress towards the elimination of gender differences and more women than men in high school and college. The Government is also developing a new educational curriculum that aims to introduce Papiamentu into teaching (see challenges below).

Since 2007, the Ministry of Justice and Education has carried out a national education plan that aims to improve educational level on several fronts. There is a clear system for supervising the quality of schools, with both internal mechanisms for quality control and external evaluations by the school inspection unit from the Ministry. Other recent government measures are the PRISMA project (which helps non-Dutch-speaking students familiarize themselves with the Dutch language); the Traimerdia project (offering after-school supervision of children in preschool and primary school); and the provision of some after-school programmes for adolescents.

## Challenges remaining

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One of the major educational problems is the persistence of a Dutch educational model that is not adapted to local needs: only 6 per cent of the population speak Dutch at home while 68 per cent speak Papiamentu, 14 per cent speak Spanish and 7 per cent speak English. This is one of the causes of the high dropout rate, especially among males. There is also a lot of repetition, with children not studying in grades corresponding to their age. There is no mechanism to reintegrate those who drop out or are expelled, and children may become NEETs (not in education, employment or training), get involved in gangs and engage in illegal forms of subsistence.

Another problem is the absence of communication channels between parents and schools. This is compounded by the fact that parents delegate all responsibility for their children's development to the teachers. Also, there are few quality after-school childcare alternatives for children or adolescents. Day-care centres are often of poor quality, that may lead to neglect and even abuse. Having insufficient numbers of teachers and schools limits the possibility of special needs education, as does the small amount of financial assistance available.

There is little diversity in the options offered at university level, and there are also limited career opportunities. A significant number of students continue their studies abroad, mainly in the Netherlands, and social policies to promote their return when qualified are lacking.

## The right to protection

### Progress achieved

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Bureau Sostenemi is the core of an initial protection system for children and adolescents. Its main task is to redirect cases of neglect, abuse and/or violence against children to other state agencies that can provide adequate follow up. There are also about 50 civil society organizations working on issues that affect children and adolescents, including a Youth Telephone Line that offers assistance and access to protective services to children and adolescents through a toll-free phone and via chat.

The new criminal code adopted in 2012 established a juvenile justice system that provides the court with a wider range of sanctions, including placement in a juvenile detention centre and training orders. However, its implementation will require specialized judge(s) for juvenile cases, separation of children from adult convicts when sentenced, CRC-training for all involved in dealing with young offenders and the intensification of measures to prevent children from getting into conflict with the law in the first place.

### Challenges remaining

Although the establishment of the Sostenemi Bureau is a crucial first step, there is still not a comprehensive system of care and protection for children and adolescents. Moreover, the civil society organizations that seek to reduce family violence work independently and do not have a common agenda.

Domestic violence in the home affects children, adolescents and women. According to reports from the Youth Telephone Line, about 1 of every 10 calls made by children in the last three years were related to violence. Parents often lack authority and may resort to violence as a form of discipline. Due to the long hours worked by parents, more and more children and adolescents grow up alone, many times in unfavourable environments. The cases Bureau Sostenemi saw between 2007 and 2010 were physical, mental and emotional neglect, sexual abuse and domestic violence. While sexual abuse is punishable by law, but difficult to prove, punishment is not strict and the maximum penalty of 8 years is not applied.

While there are no reports of child sex tourism, the phenomenon of 'sugar daddies' exists, where girls go out with much older men in the expectation of receiving material goods.

## The right to participation

### Progress achieved

Among the civil society organizations focused on women and children, nine work with and for adolescents to promote youth participation and the fulfilment of their rights. Among these it is especially important to mention the Youth Parliament, which aims to ensure that the voices of young people are heard, valued and taken into account in policy decisions that affect their lives.

### Challenges remaining

In general terms, the participation of adolescents in the public sphere is in an initial phase, with a lack of spaces where young people can be heard. Furthermore, women lack equal rights and opportunities in the public sphere. In the past 10 years, there has been an increase of only 2 seats for women in Parliament (from 19 men and 2 women to 17 men and 4 women), reinforcing the idea of the public space as one for men. Women still cannot access certain occupational niches and they do not always work on equal terms, earning 10 per cent less than men.

Although 1 in 10 children and adolescents is foreign born, the situation of immigrant children has been invisible. Immigrants are often socially excluded.

# Recommendations

## General

- Implement international agreements to which the island is committed by broadening knowledge of the actions required, taking measures to reverse the legal constraints identified and designing and implementing comprehensive policies to ensure compliance.
- Develop a consistent state policy to respond to the needs of children and adolescents with three key elements: an efficient integrated system of comprehensive care and protection; a specific code that defines one state authority to formulate government policy and another to provide assistance; and the system of juvenile justice.
- Create processes of dialogue and joint efforts among the state, civil society organizations, the private sector and trade unions to reverse the existing institutional isolation and suggest real solutions to social problems.
- Continue to deepen knowledge of the situation of children, adolescents and women through ongoing monitoring by the Ministry of Economic Affairs, Social Affairs and Culture in coordination with the University of Aruba.
- Promote regional integration with other countries in the Caribbean and the Americas to support a different model of economic development and contribute to the process of building an independent state.

## Health

- Create a programme for preventing and controlling child obesity with integral indicators and goals (involving all the relevant ministries).
- Create a nationwide campaign to promote breastfeeding.
- Continue implementation of programmes of sex education for the prevention of teenage pregnancy.

## Education

- Change the current Dutch-dependent educational model and develop and implement a new curriculum to meet the needs of a cultural diverse society.
- Reinforce education quality control systems.
- Address the issue of children lagging behind and ensure the retention of children and adolescents in the system.
- Train teachers and develop educational strategies to integrate special needs children into regular schools.
- Provide after-school educational spaces and recreational opportunities for adolescents.

- Offer educational rehabilitation programmes for children and adolescents who drop out of or are expelled from school.
- Guarantee that the day-care quality control system is being applied to correct identified deficiencies.

## Protection

- Promote and strengthen the role played by the Bureau Sostenemi in the implementation of child protection efforts.
- Further develop and strengthen the juvenile justice system, including through the use of specialized judges and appropriate mechanisms for dealing with juvenile offenders in accordance with the CRC.
- Put in place measures to prevent children from getting involved in activities that are in conflict with the law.
- Make the problem of violence visible (through coordination between civil society, the state and the media) to prevent its normalization.
- Implement a programme of mental health care for children, adolescents and women who have been victims of violence.
- Develop joint social and economic policies regarding the employment of women and provide mothers with childcare support, especially in the early years. This should include involving fathers as caregivers.

## Participation

- • Create mechanisms for strengthening youth participation at school – for example, through the formation of student councils – and in public spaces.
- • Develop a gender policy to reverse the disadvantages that still persist between women and men in the areas of labour and political participation.
- • Create mechanisms to make visible the situation of foreign-born residents, including undocumented women and children, including through qualitative and quantitative research.





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