

POLITICAL STABILITY

The modern Aruban history is characterized by political stability. There have never been cases of mass plundering, uprisings or any other sort of social unrest. This can be explained with the identification of six factors that contribute to and guarantee this high degree of political stability. First, there exist formal and close ties between Aruba and the Netherlands. These relationships are laid down and specified in the Charter of the Kingdom of the Netherlands. Second, the Aruban political system is a parliamentary democracy. Third, Aruba's legal system warrants equality before the law and legal security. Fourth, Aruba is a democratic country where all basic human rights are respected by the authorities. Fifth, Aruba has a high standard of living and a reasonable distribution of income, and sixth, the political culture of Aruba.

THE CHARTER OF THE KINGDOM OF THE NETHERLANDS

The Charter, the highest constitutional instrument of the Kingdom, is a legal instrument *suigeneris*, which is based on its voluntary acceptance by the three countries (the Netherlands, the Netherlands Antilles and Aruba). It falls into three essential parts. The first part defines the association between the three countries. The fact that together the three countries form one sovereign entity implies that a number of matters need to be administered by the countries together, through the institutions of the Kingdom. These matters are called Kingdom affairs. They are enumerated in the Charter, and include the upholding of independence, defense, foreign relations, proper administration, and the judiciary system. The second part deals with the relationships between the countries as autonomous entities. Their partnership implies that the countries respect each other and render one another aid and assistance, materially and otherwise. And that they shall consult and coordinate in matters that are not Kingdom affairs but in which a reasonable degree of coordination is in the interest of the Kingdom as a whole. The third part of the Charter defines the autonomy of the countries, which is the principle underlying the Charter.

POLITICAL SYSTEM

The Kingdom of the Netherlands is a hereditary constitutional monarchy. The political system of Aruba is primarily parliamentary, based on a constitution established on democratic principles and the structure of the Aruban government is now as follows:

- The Governor is appointed by the Queen, who is the Head of State, for a term of six years and acts as the Queen's representative on the island. The Queen appoints the Governor upon recommendation of the Aruban Council of Ministers.
- The legislature is a single house of Parliament ("Staten"). The **Staten** has 21 members, elected for a four- year term by proportional representation. These members are elected through general elections every 4 years, on the basis of a multi party system. The elections are by popular vote.
- The Council of Ministers, presided over by the Prime Minister, forms the executive power. The Council of Ministers consists of 7 to 9 members and manages portfolios of General Affairs, Economic Affairs and Finance, Education and Administrative Affairs, Justice, Social Affairs and Infrastructure, Labor, Culture, Human Development & Sport, Public Health and Environment, Tourism and Transport. The Council of Ministers is responsible to Parliament, which consists of one house.

A Plenipotentiary Minister residing in The Hague represents Aruba's interests to the Dutch Government and as a member in the Kingdom's Council of Ministers. There is also a Plenipotentiary Minister residing in Washington.

- The Legal jurisdiction is with the common courts in Aruba and the Netherlands Antilles, whereas cassation is with the Supreme Court in the Netherlands. The judiciary and legal system in Aruba is independent, mainly adapted from Dutch law. The Dutch Supreme Court in The Hague serves as the highest court of appeal for Aruban law cases.

The Government of Aruba consists of several departments and institutions. In addition, Aruba's public sector consists of a number of publicly owned entities, including the Public Utilities Company, the Aruba Airport Authority, the Aruba Ports Authority, the Social Insurance Bank, and the Telephone and Telecommunication Company (SETAR).

Labor laws regulate minimum wages, employee dismissal, social security, etc. Foreign workers are required to have a permit to work on Aruba. The Government will generally grant a permit if no qualified Arubans are available.

Political and Social associations include several political parties and several trade associations, labor unions, and service clubs. Following is a listing of some.

Political and Social Associations

Political Parties (participating in 2001 elections)

M.E.P.	“Movimiento Electoral di Pueblo
A.V.P.	“Arubaanse Volks Partij”
P.P.A.	“Partido Patriótico Arubano”
O.L.A.	“Organisacion Liberal Arubano”
Aliansa	“Aliansa Democrático Arubano”
CLA	“Conscientisacion pa Liberacion di Aruba”
A.D.N.	“Acción Democrático Nacional”

Service Clubs

Lions Club of Aruba
YMCA
Aruba Female Jaycees
Women’s Club
Quota Club of Aruba
Kiwanis Club of Aruba
Rotary Club

Unions

SIMAR	Teachers’ Union of Aruba
F.T.A.	General Workers Union of Aruba
SEPA	Government Workers Union of Aruba

Trade Associations

A.T.I.A.	Aruba Trade and Industry Association
A.H.A.T.A.	Aruba Hotel and Tourism Association
A.R.M.A.	Association of Retailers & Merchants of Aruba
K.V.K.	Aruba Chamber of Commerce

LEGAL SYSTEM

Aruba’s Legal System has been mainly derived from the Dutch Legal System. The judiciary in Aruba is independent of the legislature and the executive power. The Queen appoints the judges. Jurisdictions, including appeals, are with the Common Court of Justice of Aruba and the Netherlands Antilles. Cassations are with the Supreme Court in the Netherlands.

Furthermore Aruba’s legal system and related international treaties to which Aruba is a Party protect the rights of investors. There is no legal requirement as to nationality or residency for the owners of a company incorporated in Aruba.

Any mortgage is enforceable in Aruba regardless of the lender's nationality. This way, foreign and Aruban investors are treated equally, as stipulated under the law. The government of Aruba encourages the free enterprise system.

HUMAN RIGHTS

Each of the countries of the Kingdom of the Netherlands is responsible for implementing basic human rights and freedoms, but it is the responsibility of the Kingdom as a whole to guarantee them (Article 43 Charter for the Kingdom of the Netherlands). The main document for the basic human rights in Aruba is the Constitution, where in Chapter 1, as well as in other chapters, the most important human rights are laid down. It includes, among others, the non-discrimination principle, the right to liberty and security, the right to privacy, freedom of religion and belief, freedom of expression, the right of assembly, the right of association, the right to vote, and the right to be elected at democratic elections.

Aruba is party to many treaties containing provisions regarding human rights, including:

1. The International Covenant on Civil and Political Rights;
2. The International Covenant on Economic, Social and Cultural Rights;
3. The International Convention on the Elimination of all Forms of Racial Discrimination;
4. The Convention on the Elimination of all Forms of Discrimination against Women;
5. The International Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
6. The European Convention for the Protection of Human Rights and Fundamental Freedoms;
7. The European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment;
8. The European Social Charter;
9. The Convention on the Rights of the Child.

Article 14 of the Charter of the Kingdom of the Netherlands implies that the articles dealing with Kingdom matters in the Dutch constitution also apply to Aruba. Thus the articles of the Netherlands Constitution with stipulate the order of precedence of international conventions and national guidelines also apply to the constitutional order of Aruba. The provisions of these articles solve the problems which arise should the application of provision of a convention or decision of a human rights organization, which are binding on each individual, conflict with the statutory provisions of the country concerned.

In such cases the provisions of the convention or of the human rights organization take precedence over national statutory provisions. Of crucial relevance are the words "binding on each individual."

POLITICAL CULTURE

There are at least two elements of the Aruban political culture that are of extreme importance for political stability. The first is that politician as well as the population and social groups are conscious of the close relationship between political and economic stability.

The second element is that there is a tacit consensus regarding the way the existing political system is functioning and performing. A clear indication of this is that no less than 86.5% percent of the electorate did actually vote at the last parliamentary elections held in 2001. The respect that the Government shows for the constitutional rights of the individual person guarantees in reciprocity the respect shown by the people to the Government authorities.