Oral Statement — UPR Pre-Session on Trinidad and Tobago

Fourth Cycle, 53rd Session (November 2026)

Delivered by the Caribbean Natural Resources Institute (CANARI)

Excellencies, distinguished delegates,

Thank you for this opportunity to brief you ahead of the Fourth Cycle review of Trinidad and Tobago. I speak for a coalition of environmental civil society organisations and activists working on natural resource governance, human rights and environmental justice.

Everything in this statement flows from a single right: to live in a clean, healthy and sustainable environment. Trinidad and Tobago voted for this right's recognition at the UN General Assembly in 2022, yet it remains unrecognised in domestic law — absent from a 1976 Constitution that predates it, leaving communities beside petrochemical facilities, landfills, and eroding coastlines and environmentally and culturally sensitive sites earmarked for hotel and resort development, with no enforceable duty they can invoke directly.

We want to begin with a genuine positive. On 27 January 2026, Trinidad and Tobago deposited its instrument of accession to the Escazú Agreement, whose preamble affirms this right. Civil society campaigned for over seven years and we welcome it without reservation. For the first time, the three environmental access rights — information, participation, justice — are legally binding at the international level, and defenders are specifically protected by treaty. What remains is substantive recognition — making it real in domestic practice.

For many communities, this is not abstract: it affects health, livelihoods, cultural heritage and environmental security. In Port of Spain, residents near the Beetham landfill live with recurring hazardous air-quality alerts and hospitalisations each time the facility catches fire. In Tobago, successive development projects initiated on protected wetlands and historic areas — have focussed on the same site since 2013 without resolving community or defenders objections. In the Gulf of Paria — roughly three-quarters of the country's fish catch — defenders have documented over 375 oil spills since 2015, without a single prosecution.

Accession is a floor, not a ceiling. The proposed Toco Port shows the cost: its sole public consultation was held at night, a week before Christmas, hours from the capital — nineteen CSOs formally challenged its findings, and the project remains unresolved five years later. There is also a growing trend of Certificates of Environmental Clearance being celebrated jointly by Ministers and private sector interests, framing permitting as an obstacle, not a safeguard of this right nor a pillar of sustainable development. Government has engaged eleven oil and gas operators directly on permitting timelines, with no equivalent engagement for communities.

Given our time, we ask this Council to prioritise six recommendations — each a concrete step toward making this right real, not just declaratory:

First — recognise the right to a healthy environment in domestic law, through constitutional amendment or primary legislation, consistent with the 2022 UN General Assembly resolution and the Escazú preamble, and made justiciable, not confined to policy with no legal force. This is the foundation every other recommendation exists to serve.

Second — the EMA's board is appointed entirely at ministerial discretion, with no fixed terms, inside a ministry that also holds the national development mandate. For these reasons, **we recommend amending the Environmental Management Act s**o board appointments require parliamentary and civil society input, terms are fixed and staggered - insulating it from electoral cycles, and the Authority's founding duty protect natural resources and oversee sustainable development in the public environmental interest is upheld.

Third — we have learned of undisclosed discussions between government ministries, the EMA, and the Environmental Commission on changes to its jurisdiction over CEC appeals. **For these reasons, we call on Trinidad and Tobago to protect the Commission's jurisdiction from quiet erosion, with no change proceeding without full, transparent public consultation.**

Fourth — there is currently no legal protection for environmental defenders against retaliation or strategic lawsuits, and self-censorship is already documented. **For these reasons, we recommend legislation consistent with Escazú Article 9, expanding and resourcing the Ombudsman's office, or another independent body, to receive complaints and enforce protection.**

Fifth — in twenty-five years, only six direct party actions have reached the Environmental Commission, three brought by civil society — a mechanism out of reach. **For these reasons, we recommend a dedicated legal aid fund for Environmental Commission proceedings, prioritising communities in sacrifice zones and disproportionately affected by industry.**

Sixth — six months after accession, no implementation plan has been announced. **We recommend Trinidad and Tobago publish a National Escazú Implementation Plan within twelve months, developed with civil society from the outset, setting out a legislative reform timetable meeting Escazú Articles 5 through 9, a coordinating authority, dedicated resourcing, a baseline compliance assessment, and a workstream on domestic recognition of this right.**

Civil society is not asking to be consulted after these decisions are made — we are offering to help deliver them. We have put the case for constitutional recognition to the National Advisory Committee on Constitutional Reform, support communities exercising their rights, and document threats against defenders. We ask to be treated as a partner in implementation, not merely a source of testimony.

In closing: Trinidad and Tobago has taken a real step on procedure. What is owed now is substance — a domestically enforceable right, and institutions capable of defending it, independent of the interests they regulate. We ask this Council to press for specific, time-bound, measurable commitments across all six areas.

Thank you.