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## **National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21\***

### **Trinidad and Tobago**

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\* The present document is being issued without formal editing.



## I. Introduction

1. The National Report for the Third Cycle of the Universal Periodic Review (UPR) of the Republic of Trinidad and Tobago was prepared in accordance with the General Guidelines for the Preparation of Information for the UPR and Human Rights Council resolution 5/1 (18 June 2007), resolution 16/21 (25 March 2011) and decision 17/119 (17 June 2011). Since the completion of Trinidad and Tobago's second review in 2016, there was a National General Election held on 10 August, 2020 in accordance with the Constitution, where the incumbent administration obtained the majority vote.
2. The Government of Trinidad and Tobago is pleased to inform that it has indeed made significant advances in the promotion and protection of human rights based on its voluntary commitments to accepted recommendations made at the last review. The UPR process as a whole served as an effective mechanism to which a national human rights agenda was developed to further promote and strengthen human rights protection efforts.
3. The Third National Report for UPR will highlight the major developments that have occurred since the last review and in the period of follow-up and implementation. With the emergence of the COVID-19 global pandemic, the Government has placed significant emphasis on adopting the "New Normal" approach in a respectful and responsive manner through the implementation of legislative measures to slow and reduce transmission of the virus to ensure protection of citizens. The health care system has been strengthened and new medical protocols were adopted to save and protect the lives of the most vulnerable in society.
4. Within the last five years, continued emphasis has been placed on combatting corruption and crime reduction. Achievements have been made regarding child rights with the historic abolition of child marriage. Significant efforts have been made regarding the elimination of all forms of discrimination against women and the protection of the rights of persons with disabilities continues to be pursued. Citizen security and ease of access to justice remain top priorities.

## II. Methodology and consultative process

5. The International Law and Human Rights Unit (ILHRU) in the Office of the Attorney General of Trinidad and Tobago and Ministry of Legal Affairs is responsible for the drafting of National Human Rights Reports including the National Report for the Universal Periodic Review. To that end, the ILHRU adopted a consultative approach, requesting submissions from both Civil Society Organisations and Government Stakeholders. The ILHRU pursued conferences with individual Government Ministries and Government agencies such as the Children's Authority and the Equal Opportunity Commission as well as independent institutions such as the Police Complaints Authority and the Ombudsman. Consultations were also held with the Tobago House of Assembly (THA) which is responsible for administering the affairs of Tobago. The consultative process also included the participation of a wide cross-section of non-governmental organisations (NGOs) in Trinidad and Tobago. The Civil Society Consultations raised a great number of human rights concerns including issues of recovery post COVID-19, the empowerment of women, digitization, the right to education, child abuse and the rights of persons with disabilities.

## III. Developments since previous Universal Periodic Review

6. Since the adoption of the outcome of Trinidad and Tobago's review by the Human Rights Council in 2016, there have been significant advancements to human rights protection through legislative and systemic changes. The following represent the most noteworthy advances that came out of the recommendations accepted by the Government of Trinidad and Tobago and the voluntary commitments given to address specific issues raised by the Council.
7. On 20 August 2018, the **Anti-Terrorism (Amendment) Act, 2018** was assented to in Parliament. **The Amendment Act 2018** made significant changes to the **Anti-Terrorism**

**Act, Chap 12:07** inter alia by repealing and replacing the definition of “terrorist act” with an essentially wider definition which now includes travelling to a declared geographical areas for the purpose of committing a terrorist act which consequentially results in being listed as a foreign terrorist fighter; taking of preparatory steps to commit a terrorist act and coercing and encouraging someone to commit a terrorist act in addition to the previous definition. **Section 22B of the Amendment Act 2018** allows the Attorney General to make an application to the High Court for the designation of individuals and entities, both domestically and internationally, as being linked to terrorism or terrorist funding. Once the Order is granted, the individual or entity’s assets may be frozen on the same basis that the order was granted.

8. On 31 December 2018, **The Miscellaneous Provisions (Proceeds of Crime, Anti-Terrorism and Financial Intelligence Unit of Trinidad and Tobago) Act, 2018** was assented to in Parliament and operationalized the National Anti-Money Laundering and Counter Financing Terrorism Committee (NAMLC) and the Anti-Terrorism Unit (ATU) in the Office of the Attorney General and Ministry of Legal Affairs. The ATU is responsible for efficiently carrying out the functions of the Attorney General pursuant to the **Anti-Terrorism Act, Chap. 12:07**. Primarily, the implementation of **Section 22B of the Anti-Terrorism Act Chap 12:07**. The ATU currently chairs the NAMLC for the period August 2019 – August 2023 which coordinates the country’s development of its anti-money laundering and combating terrorism financing and proliferation (AML/CFT/CPF) regime.

9. In 2019, **the Civil Asset Recovery and Management and Unexplained Wealth Act, 2019** was enacted as part of the Government’s plan to protect the right of citizens to live in a society free from corruption. The Act provides for the establishment of the Civil Asset Recovery and Management Agency to recover criminal property. The objective of the Act is to expand the basis upon which Confiscation Orders can be obtained, by allowing the High Court to grant a range of Orders, including Unexplained Wealth Orders, which require individuals to explain their interests in specified property in addition to the source of the wealth used to acquire said property thus broadening the application of freezing and forfeiture provisions to make all persons’ subject to the law.

10. In 2016, Trinidad and Tobago submitted its Combined Fourth to Seventh Periodic Reports to the Committee on the Elimination of All forms of Discrimination Against Women (CEDAW, the Committee) and was due to be reviewed in July 2016. On 18 July 2016 Trinidad and Tobago’s report was considered by the Committee which commended the progress made by the country particularly on its achievements in increasing the representation of women in Parliament, increasing the age of free and compulsory education and the successful implementation of programmes aimed at preventing mother-to-child transmission of HIV through providing access to antiretroviral treatment, amongst other areas. Trinidad and Tobago has since made a request to the Committee to utilize the Simplified Reporting Procedure in preparation of its’ Eighth National Report which was due in July 2020.

11. In 2021, Trinidad and Tobago was pleased to submit its Initial National Report to the Committee on the Rights of Persons with Disabilities (CRPD). The submission of the national report is a significant achievement for the Government of Trinidad and Tobago. The Office of the Attorney General and Ministry of Legal Affairs, in collaboration with other key stakeholders completed the national report as part of its responsibility to continue implementing the Convention on the Rights of Persons with Disabilities in Trinidad and Tobago and ensuring the protection of the rights of persons with disabilities.

12. In 2021, Trinidad and Tobago was also pleased to submit its Fifth Report on the implementation of the International Covenant on Civil and Political Rights to the Human Rights Council and is awaiting review. The report was also a collaborative effort between the Office of the Attorney General and other key stakeholders.

## COVID-19

13. Trinidad and Tobago took immediate action in response to the COVID-19 pandemic by implementing various intervention strategies to interrupt and reduce the transmission of the virus. The Government amended the **Public Health Ordinance Chap 12 No.4**, regularly

updated **Public Health [2019 Novel Coronavirus (2019-nCoV)] Regulations** and issued guidelines as a necessary yet proportional response to slow transmission of the COVID-19 virus and mitigate post pandemic effects on the society. Public Health Regulations and Guidelines had the effect of implementing closure of all air and sea ports, except for the transportation of cargo, the arrival and departure of passengers permitted by the Minister of National Security; and provisions relating to the treatment of persons who tested positive for COVID-19.

14. Significantly, **Public Health [2019 Novel Coronavirus (2019-nCoV)] (No. 26) Regulations, 2020 by Legal Notice No. 306** dated August 30<sup>th</sup>, 2020, implemented mandatory wearing of a face mask, face covering or face shield while in public, a vehicle or aboard a vessel, for both adults and children over the age of eight, failure to do so resulting in a fixed penalty notice.

15. Despite such curtailments, the Government's early responses proved to be an effective risk management tool and can be deemed as a good human right practice to be adopted in similar situations.

16. The Government is conducting continuous public awareness campaigns as a mechanism to control the impact of the COVID-19 pandemic. All government Ministries, particularly the Ministry of Health, shared information with the public regarding COVID-19 effects, impacts and safeguards to be put in place to prevent spread. The Ministry of Health continues to host regular press conferences to update persons on the current status of the impacts of the virus, for instance; releases on the total number of positive cases, number of active positive cases, numbers of persons at hospitals or step-down facilities and the number of deaths.

17. The Government continues to engage in consultation with the Chief Medical Officer (CMO) and other members of the CMO's epidemiological team in attempts to curb the transmission of COVID-19, taking into account specifications under the **Public Health Ordinance Chap 12 No.4**.

18. In April 2020, the Honourable Prime Minister of Trinidad and Tobago established a twenty-two (22) member team to create a "Roadmap to recovery". The team is comprised of sub-committees with differing areas of expertise, all responsible for devising strategies to ensure the financial and economic recovery of the country after COVID-19. Members of the team include sitting Cabinet Ministers, senior public servants, members of the private sector, trade unionist, academics, economists, members of the banking sector and civil society.

## **Individual protections**

### **Healthcare**

19. The Ministry of Health demonstrated resilience in its response to the COVID-19 pandemic by ensuring availability of the human resources, infrastructure, personal protective equipment (PPE) and finances to effectively respond to the pandemic. A parallel healthcare system was established in Trinidad and Tobago. The Government opened and operationalized several hospitals specifically to house persons who contracted the coronavirus, state-quarantine facilities housed essential workers, while non-state facilities were secured to be utilized as "step-down" facilities designated for recovery. The Ministry of Health employed one hundred (100) medical doctors, one hundred (100) nurses and sixteen (16) healthcare professionals from Cuba to staff new and existing hospitals treating with COVID-19. The Ministry of Health continues to be responsive to the changing epidemiology of the virus and continues to regularly adjust its COVID 19' response in accordance with World Health Organisation (WHO) and Centre for Disease Control (CDC) guidance.

20. In April 2021, the Ministry developed and implemented a Vaccination Deployment Plan to achieve herd immunity and to reduce morbidity and mortality amongst the population of Trinidad and Tobago due to the COVID-19 virus. The Plan is currently being rolled out at thirty-six (36) health centres and five (5) mass vaccination sites and administering 5,500 doses per day. As of June 16<sup>th</sup>, 2021 the total number of vaccinated persons with 1st dose is 168,477 and those who were fully vaccinated (2nd dose) were 24,018.

### **Social protection for individuals**

21. The human rights of citizens across all groups and sectors in Trinidad and Tobago were affected by the COVID-19 pandemic- The Government recognizing the immediate and long-term impact of the pandemic on the livelihoods of citizens and the economy has placed economic recovery as a major priority. As such, the Ministry of Social Development and Family Services (MSDFS) bolstered several existing social support measures by providing additional monthly support for three months to assist individuals affected by the Covid-19 pandemic. Non-clients also received support through the provision on income support, rental assistance and emergency food hampers and grocery vouchers. Households with children who received meals from the School Feeding Programme also benefitted from temporary food support.

### **Socially displaced persons**

22. The Ministry of Social Development and Family Services and the Trinidad and Tobago Defence Force (TTDF), alongside the Mayors and City Corporations of the cities of Port-of-Spain and San Fernando collaborated to set up shelters to house socially displaced persons subject to certain restrictions. Admitted persons were entitled to benefit from 3 meals per day. Beds and bathrooms were set up in accordance with social distancing guidelines.

### **Older persons**

23. The Ministry of Health generally advised elderly persons to remain at home and practise social distancing as much as possible. Formal guidelines were issued to Senior Citizen Homes requiring closure to visitors, also the Homes were placed under the control of the County Medical Officer of Health. Staff members were screened and required to use disposable gloves and face masks. Regular sanitization of Homes was also mandated.

### **Access to justice**

24. To ensure the continuation of fair trials during COVID-19, the Judiciary accelerated the implementation of ICT solutions to support its multifaceted operational needs. **Practice Direction on Court Operations No.8 pursuant to Part 4 of the Civil Proceedings Rules 1998 (as amended), Part 20 of the Criminal Procedure Rules, Part 4 of the Family Proceedings Rules and Part 22 of the Children Court Rules** issued by the Chief Justice effective 26 October 2020, temporarily suspended in person hearings and advised that certain categories of hearings be conducted virtually and by video conferencing as far as possible. Thus reducing the need for individuals to enter court buildings. In-person hearings only remained in effect for a few serious matters.

25. The Judiciary opened twelve (12) virtual courts within the prison system, with over fifteen thousand (15,000) virtual hearings being conducted.

### **Education**

26. The COVID-19 pandemic prompted the closure of all schools and a shifting to an online system of teaching and learning. The Ministry of Education, in its attempt to continue fulfilling the country's commitment to providing Universal Primary and Secondary education, acted swiftly in its efforts to lessen the disparities in resources for the nation's children and ensure that the right to education was being protected. In light of this, the Ministry embarked on several initiatives to ensure that the nations' youth had multiple means of accessing the curriculum.

27. A Memorandum of Understanding (MoU) was signed by the Ministry of Education and the Telecommunications Authority of Trinidad and Tobago (TATT) to facilitate the distribution of ten thousand (10,000) ICT enabled devices and Subscriber Identity Module (SIM) cards with data plans procured by telecom providers to public primary and secondary school students across the country.

28. The Ministry's "Adopt a School" campaign yielded 22,897 donations of devices to students of primary and secondary schools from corporate sponsors. Additionally, the Ministry also provided ninety-eight (98) devices to public special education schools and one

hundred and twenty-six (126) devices to Early Childhood Care Education (ECCE) schoolteachers. Students without electronic access continue to access the curriculum via printed packages. In addition, television programmes geared towards primary and secondary school students are aired everyday on local television stations.

## IV. Promotion and protection of human rights

### A. International Convention on civil and political rights

#### 1. Tobago House of Assembly Reform

29. The island of Tobago is governed by the Tobago House of Assembly (THA), an autonomous administrative body created by the **Tobago House of Assembly Act, Chap 25:03**. The THA is responsible for local government functions amongst other responsibilities of the Central Government, with limited ability to collect taxes, impose local laws or zoning regulations. The THA comprises of both a Legislative and an Executive arm. The Legislature is responsible for policy decisions regarding the operations of the Assembly and comprises a Presiding Officer with twelve elected assemblymen and four appointed councilors. The Executive arm is responsible for individually and collectively executing Assembly tasks through its Divisions. The Chief Secretary heads the Executive Arm of the Assembly as leader of the Executive Council.

30. Elections are held every four years on a date set by the President, after consultation with the Prime Minister and the Chief Secretary, two and three months after the Assembly's dissolution. On 25th January, 2021 the THA elections were held in accordance with the **Tobago House of Assembly Act, Chap 25:03**. The results yielded a six-six tie between the incumbent People's National Movement (PNM) and the Progressive Democratic Patriots (PDP) party. The resolution of such a circumstance was not contemplated by the **Tobago House of Assembly Act, Chap 25:03**. The stalemate prompted the Central Government to pass the **Tobago House of Assembly (Amendment) Act, 2021** on 2<sup>nd</sup> March 2021. The Amendment Act increased the number of assemblymen under the **Tobago House of Assembly Act, Chap 25:03** from twelve (12) to fifteen (15) as well as included a new **Section 22** to provide instructions on the procedure to be followed should no Assembly be formed. The **Elections and Boundaries (Local Government and Tobago House of Assembly) Act, Chap. 25:50** was consequently amended to include reviewed and redefined boundaries of the electoral districts in Tobago.

#### 2. Right to life, right to liberty and security of person

31. The right to life, liberty, security of person, enjoyment of property and the right to not be deprived thereof except by due process of law, is enshrined in Section 4 of the Constitution of The Republic of Trinidad and Tobago. The Government continues to implement legislation to eradicate the scourge of violence in order to protect human rights. The **Anti-Gang Act, 2021** was passed in Parliament on 9 April, 2021 and is awaiting proclamation by the President. The Act was enacted to curb the proliferation of gangs and the surge in violent crimes by suppressing gang activity and dissuading persons from gang affiliations by criminalizing gang leadership, membership and gang-related activities. A person reasonably suspected of any form of gang affiliation or activities may be arrested by a police officer without a warrant and may be detained for up to forty-eight (48) hours. Detention beyond 48 hours, requires an ex parte application to be made to a Judge within thirty-six (36) hours of detention.

32. In an effort to address increasing violent crimes, the Government enacted, **The Bail (Amendment) Act, 2019** which provides for the restriction of bail in two circumstances, (i) to a person who is currently before the Court but has a previous conviction for a serious offence inter alia rape, possession and use of a firearm, attempted murder, robbery with aggravation; and (ii) to a person who has a pending matter before the Court but is charged for another serious offence while out on bail. The Act includes safeguards for the accused as it provides that a person who is charged but no evidence is given within one-hundred and twenty (120) days, may apply to a Judge for bail. Additionally, where the accused is charged

and evidence given within one-hundred and twenty (120) days but the trial is not completed within one year, the accused may apply to a Judge for bail.

33. The Government remains committed to advancing crime detection through the use of technology. The Ministry of National Security commissioned the new Ballistic Recovery Department on 29 January, 2021 to provide additional facilities and personnel to quicken forensic testing of firearms. Twenty-six (26) officers were certified as ballistic experts upon completion of the Firearm and Toolmark Examination Programme which included a course hosted by the United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean (UNLIREC).

34. The Ministry of National Security has made significant efforts to strengthen existing policies and procedures to combat human trafficking and identify victims. The Counter Trafficking Unit (CTU) developed a National Plan of Action against Trafficking in Persons for the period 2021-2023 in consultation with several international organisations, state agencies and non-governmental organisation (NGOs). The Unit also contributed to the development of the National Child Policy and procedures to treat with Unaccompanied and Separated Children in conjunction with UNICEF. With respect to the investigative work of the CTU, a Special Task Force was established in the Police Service to strengthen and support the investigative capacity of the Unit, while the CTU continues to actively participate in INTERPOL regional human trafficking investigations. Frontline police officers received specialized training on pro-active human trafficking investigations and were equipped with a Pocket Guide for Frontline Officers aimed at providing guidance on procedures for identifying victims of trafficking, and possible referral to the CTU. In April 2021, four (4) persons were charged under the Trafficking in Persons Act for a range of offences involving minors.

35. The CTU continues to raise public awareness on human trafficking through its partnership with state agencies, NGO's and international organisations such as the International Organisation for Migration (IOM) and the Pan American Development Foundation (PADF) in order to provide training and sensitization workshops to stakeholders involved in combatting trafficking in persons. These partnerships also focused on transitioning and reintegrating victims of trafficking by delivering medical, psychosocial services and other skills training. Campaigns also targeted the Spanish speaking community by using various media including radio and community signage. The CTU Hotline (800-4288 or 800-4CTU) continues to provide an avenue for members of the public to report suspicious activity relating to trafficking in persons.

36. In light of the global crisis concerning the situation of refugees and asylum seekers, and in keeping with its obligations as a State Party to the *1951 Convention Relating to the Status of Refugees* as well as the *1967 Protocol Relating to the Status of Refugees*, the Government of Trinidad and Tobago developed a National Policy to Address Refugee and Asylum Seeker Matters which was approved by the Cabinet 2014. The Policy provided a framework to enable the Government to conduct its own Refugee Status Determination (RSD) process. Interim Standard Operating Procedures (SOPs) on treating with refugees and asylum-seekers were designed to ensure that asylum claims are assessed in a timely and efficient manner, through the coordinated efforts of the Immigration Division and UNHCR. The 2014 Policy was unable to be fully implemented due to the influx of Venezuelan migrants which threatened to overwhelm the immigration system and hinder the advancement of the national asylum system. In light of the challenges encountered, the Ministry of National Security is in process of finalising an updated policy for the State to assume full responsibility of the RSD process.

37. In an attempt to address the influx of Venezuelan migrants within its borders and to protect the human rights of migrants and their families, in May 2019, the Government granted a twelve (12) month amnesty under the **Immigration (Amendment) Regulation 2019** and the **Immigration (Amendment to the Second Schedule) Order 2019** in accordance with **section 10 of the Immigration Act, Chap 18:01**. Under this amnesty, Venezuelan migrants were required to be registered and were issued a Registration Card by the Immigration Division. This Registration Card authorized the holder to work legally in Trinidad and Tobago for one (1) year, with a notice that the holder of the permit is to be assessed every six months. A re-registration exercise was conducted in March 2021.

### 3. Access to justice

38. Trinidad and Tobago remains committed to preserving the principles of democracy and the rule of law by ensuring equal access to justice for all. In this regard, significant improvements were made to various pieces of legislation enacted to safeguard the administration of justice.

39. **The Administration of Justice (Indictable Proceedings) (Amendment) Act, 2020**, was assented to on 8 January, 2020. The Act confers upon Masters of the Court, powers of a Magistrate in conducting criminal proceedings. It is hoped that the increase in judicial officers who now have jurisdiction to hear such matters will help cases to progress justly and expeditiously. The Act also consequentially amends the **Evidence Act, Chap 7:02** by allowing the submission of electronic copies of witness statements.

40. **The Evidence (Amendment) Act, 2021** was assented to on 25 February, 2021 and is awaiting proclamation. The Act provides for the use of various new procedures to identify a suspect including the use of photographs and video. The Act also mandates the video recording of suspect interviews in its entirety to ensure protection of the right to due process. It is expected that this requirement for video recorded interviews will help prevent any abuse of powers by law enforcement officers. The Act also provides protection to vulnerable witnesses by allowing the use of special measures to obtain their testimonies, for instance, through the admission of video or audio recorded witness statements.

41. The Government continues to take steps to ensure public safety and security of its citizens from the threat of gang activity in prisons. In light of this, **The Interception of Communications (Amendment) Act, 2020** has been assented to and is awaiting proclamation by the President. The Act provides for the interception and recording of communications in prisons and vehicles used to transport prisoners. The Act provides that an officer with a warrant can obtain intercepted information which can be used as evidence in any proceedings.

42. The right to legal representation remains an indelible part of democracy and the rule of law. In this regard, the Honourable Attorney General operationalized the Public Defenders Department in April 2020. The Unit forms part of the Legal Aid and Advisory Authority (LAAA) commissioned by **the Legal Aid and Advice Act, Chap 7:07**. The Public Defenders Department will focus on criminal matters at the High Court level with few exceptions at the Magistrates' level. The unit now comprises of thirty (30) positions for attorneys and additional support staff.

43. Trinidad and Tobago accepted the recommendation to relieve the judicial backlog that contributed to the overcrowding of remand while awaiting trial. This was done through a multipronged approach, consisting of legislative changes, increased judicial officers, the operationalization of specialized courts and advancements in ICT technology.

44. **The Administration of Justice (Electronic Monitoring) (Amendment) Act, 2020** was proclaimed by the President on 18 September, 2020. The Act increases the circumstances in which a Court may order a person to wear an electronic monitoring device, for instance, where a person is on probation, carrying out community service, or in any other circumstance the Courts sees fit. The Court is however, limited in exercising this discretion in cases of serious offences like murder, kidnapping and drug trafficking. The Court may only order the use of an electronic monitoring device in a case involving the commission of a serious offence, to an accused that has been granted bail or who is a child.

45. The implementation of Judge Alone Trials has significantly impacted the backlog of cases in the criminal justice system. **The Miscellaneous Provisions (Trial by Judge Alone) Act, 2017** was proclaimed on 1 February 2019. The Act allows a person charged on indictment to elect to be tried by a Judge without a jury. Once elected, the lone Judge has all powers, authority and jurisdiction to determine any question of law or fact and deliver findings previously determined by a jury. The Judiciary envisions that an increased use of Judge Alone Trials will significantly reduce the number of retrials ordered, the risk of jury interference and intimidation, and the time and cost of empaneling and sequestering juries related to jury service.

46. A plea-bargaining system was created by the **Criminal Procedure (Plea Discussion and Plea Agreement) Act 2017** which allows an accused person to plead guilty in exchange for a desired outcome inter alia, a reduced, withdrawn or discontinued charge. The Act safeguards the accused's right to a fair hearing by prohibiting questionable actions by the prosecution such as, withholding or distorting evidence and entering a plea agreement from an unrepresented accused. Once properly administered the plea-bargaining system can potentially remedy extended pre-trial incarceration and any uncertainties of a trial.

47. There were several specialized courts created to address the backlog of cases. **The Criminal Division and District Criminal and Traffic Courts Act, 2018** established the Criminal Division in the High Court and District Criminal and Traffic Courts in the Summary Courts. The Act authorizes the Chief Justice to assign Puisne Judges or Masters to the Criminal court, thus increasing the amount of judicial officers that have jurisdiction to preside over criminal matters. **The Miscellaneous Provisions (Supreme Court of Judicature and Children) Act, 2018** increased the maximum number of Puisne Judges and Justices of Appeal in the High Court to deal with family and children matters.

48. The Drug Treatment Court pilot project, launched in 2012 was intended to inform legislation for wider implementation throughout Trinidad and Tobago for both adults and juvenile. **The Miscellaneous Provisions (Administration of Justice) Act, 2020 (No. 29 of 2020)** proclaimed on December 24, 2020 immediately implemented a Drug Treatment Court Process which created a drug treatment referral programme in the Summary Court and the High Court, for persons to receive intensive treatment and counselling and other services with an on-going monitoring regime.

49. In light of the accepted recommendations to solve the problem of prison overcrowding and improve detention conditions, the Ministry of National Security through the Trinidad and Tobago Prison Service (TTPrS), has forged partnerships with Correctional Professionals and agencies in the United States of America, the United Kingdom and Canada geared towards improving institutional and staff capabilities for the improved management and control of all categories of inmates. The TTPrS meets UN Standard Minimum Rules by ensuring that health, hygiene, nutritional and social needs of inmates are provided on a daily basis. Improvements to the Inmate Management System are ongoing in order to bring the cell occupancy rate in alignment with the UN Minimum Standard for housing of inmates.

50. Additionally several initiatives have been implemented by the TTPrS to address prison overcrowding and other critical inmate needs. These include:

- Construction of twelve new virtual courts within the prison system to facilitate court hearings via video conferencing link;
- Upgrades to the Remand Prison;
- Establishment of a Health and Safety Committee within the TTPrS, which conducts monthly assessments of conditions at the prisons to ensure safety;
- Regular sanitation at various facilities by staff, selected inmates, and private contractors;
- Development of a strategic plan aimed at evolving the prison services from strictly incarceration to corrections, thus increasing the level of rehabilitation, through programming for inmates;
- Delivery of religious, educational, skills training, cultural and recreational and other rehabilitative programmes.

51. The Police Complaints Authority (PCA) is an independent civilian body, duly constituted in accordance with the **Police Complaints Authority Act, Chapter 15:05**, to oversee and investigate complaints of police corruption and serious police misconduct committed by police officers, special reserve police officers and municipal police officers. In December 2020, the passage of **The Miscellaneous Provisions (Administration of Justice) Act, 2020** amended the **Coroners Act, Chap. 6:04** allowing for the PCA to be listed as an interested party where a preliminary investigation concerns the death of a person which is, or has been, the subject of an investigation monitored, audited or carried out by the PCA and to be notified of related inquests. On March 5, 2021 the **Miscellaneous Provisions (Special**

**Reserve Police and Municipal Police Complaints Authority) Bill, 2020** was passed in the House of Representatives and concerned amendments to **the Special Reserve Police Act, Chap. 15:03 and the PCA Act**. Once passed, these amendments would, inter alia, (a) widen the definition of “serious police misconduct” to include the commission of a disciplinary offence under the Municipal Police Service Regulations, 2014; (b) ensure that Regulation 150 of the Police Service Regulations apply to the Special Reserve Police Service so as to allow the PCA to investigate allegations of “serious police misconduct” in relation to such officers and make recommendations for the institution of disciplinary proceedings where “serious police misconduct” is found; and (c) impose a duty on the Commissioner of Police to furnish the PCA with a written update or decision within three months of the making of a recommendation by the PCA. This is intended to achieve greater transparency and accountability of the Police Service and its disciplinary outcomes. The PCA continues to carry out public outreach and educational campaigns on the functions of the Authority and has created a mobile application to ensure accessibility.

#### 4. Right to freedom of press

52. Trinidad and Tobago remains committed to protecting the right to freedom of speech and freedom of the press as enshrined in Sections 4(i) and (k) of the Republican Constitution.

### B. International covenant on economic, social and cultural rights

#### 1. Right to work

53. Protecting the right of workers and employees remains a high priority for the Government. Arising from the continuous review of the national minimum wage in order to allow workers to maintain a decent standard of living, the Government through **Legal Notice No. 341 of November 8, 2019** increased the National Minimum Wage from TTD \$15.00 to TTD \$17.50 per hour, effective December 1, 2019 for all persons in Trinidad and Tobago.

54. With respect to protecting the rights of migrant workers, an Inter-Ministerial Committee for the Development of a Labour Migration Policy was appointed in July 2018. The envisioned Policy aims to address issues on the treatment of labour migrants. While work on the Labour Migration Policy is on-going, the Ministry of Labour continues to enforce labour legislation and standards to ensure the protection and welfare of migrant workers. These issues include minimum wage and rate of pay; work hours and overtime; public holidays; vacation and sick leave; maternity benefits and the employment of children. This is accomplished through the investigation of complaints and routine inspection visits. The legislation does not prohibit the conduct of any enforcement activity on the basis of a worker’s migrant status and the Labour Inspectorate investigates reports of breaches of labour rights whether or not the complaint/ employer is a migrant.

55. The Ministry of Labour, together with relevant agencies and authorities, continues to monitor and enforce legislation pertaining to the prevention and elimination of child labour. The Labour Inspectorate Unit continues to monitor the employment of children between the ages of sixteen (16) to eighteen (18) years and investigate instances where children under the age of sixteen years are employed. To this end, Cabinet approved the re-establishment of the National Steering Committee for the Prevention and Elimination of Child Labour with the inter-agency Committee being appointed in February 2019.

56. The HIV Workplace Advocacy Unit, formerly the national HIV/AIDS Workplace Advocacy and Sustainability Centre (HASC), continues to play a leading and coordinating role in the national response to HIV and AIDS in the workplace. The National Workplace Policy on HIV/AIDS was approved by Cabinet in 2017 and a Public Awareness Campaign geared towards sensitising employers and employees about the Policy was launched on July 23, 2019. The Policy has since been translated into Spanish to facilitate access by Spanish-speaking migrants.

## 2. Right to enjoy the highest standard of physical and mental health

57. The Government remains committed to ensuring that the people of Trinidad and Tobago have access to and enjoy the highest standard of physical and mental health. The public health sector has benefitted from the commissioning of new health facilities to assist in meeting the high demand for healthcare, including the Arima General Hospital, commissioned in June 2020 and the Point Fortin Hospital, commissioned in July 2020. The Linear Accelerator (LINAC) Wing at the St. James Medical Complex was operationalized in June 2020 to house the first linear accelerator machine across the public sector of the English-speaking Caribbean which will greatly aid in the delivery of radiation treatment to cancer patients.

58. The Ministry of Health continues to implement several initiatives to improve and advance its health care services. The External-Patient Programme continues to provide clients with access to x-ray and ultrasound services, dental, dialysis, orthopaedics and nutritional services. In 2020, the Ministry embarked on several corrective measures aimed at re-positioning and reinvigorating key aspects of health care including:

(a) Maternal and child health – where Trinidad and Tobago has already attained its SDG Goal status;

(b) Non-Communicable Diseases Prevention and control Strategy across Trinidad and Tobago with Caribbean moves and Health and Wellness initiatives; and

(c) The Decentralization of Mental Health Services to the community level and removing the stigma at the St. Ann's Psychiatric Hospital. In 2019, the first ever Mental Health Policy that is on par with international best practices was approved.

## 3. Right to housing

59. The Government remains committed to providing appropriate housing and land solutions for low and middle income earning citizens. The Ministry of Housing and Urban Development (MHUD) is responsible for providing adequate and affordable homes as well as appropriate home financing solutions. Through its Accelerated Housing Programme (AHP), the Housing Development Corporation (HDC) an implementing agency in the MHUD, has completed construction of over three thousand, five hundred (3,500) houses and started construction of another two thousand, five hundred (2,500) houses which are at varying stages of construction in over twenty (20) sites. Over the period 2015-2021, the HDC allocated 5,741 housing units to qualifying citizens and constructed play parks in various communities.

60. The HDC has implemented two programmes which allow for private sector assistance in the construction of affordable housing. The Public Private Partnership model introduced in 2016 utilises private sector funding in the construction of homes for persons on the public housing database, with over 400 houses constructed. In 2018, the Housing Construction Incentive Programme was introduced to provide an incentive to developers that can finance, build and sell housing units in accordance with HDC guidelines at a pre-fixed price, approximately seventy-one (71) housing units have since been constructed.

61. The HDC is also responsible for maintenance of existing homes and upgrading of infrastructure in Government housing developments and the issuing of land tenure instruments for squatter regularisation. During the period 2015-2021 the Land Settlement Agency was responsible for preparing and distributing 867 Certificates of Comfort to squatters. The HDC has also initiated projects to regenerate urban areas surrounding the capital city.

62. The Housing Programme Facilitation and Implementation Unit continues to provide a grant of maximum TT \$15,000 to effect repairs for low-income home owners. Over the period 2015-2021 a total of three thousand, two hundred and sixty-three (3263) home improvement grants have been distributed.

63. Under the Tobago Housing Development Programme, the THA constructs houses to assist first-time home buyers and offers at cost price to eligible citizens, resident in Tobago.

#### 4. Right to education

64. The right to education is one of the key principles underpinning the Education 2030 Agenda and Sustainable Development Goal 4 (SDG4) adopted by the international community. SDG 4 is rights-based and seeks to ensure the full enjoyment of the right to education as fundamental to achieving sustainable development. Education therefore remains a priority to Trinidad and Tobago. The Government continues to strengthen the infrastructure which supports Universal Early Childhood Education (ECCE), Primary and Secondary education, as well as tertiary education up to the undergraduate level.

65. At the ECCE level, the Ministry of Education has commenced initiatives such as, ECCE and Infants Newspaper Pull-out; Leading Stars ECCE Radio Programme and Sesame Street to ensure that children continue to have access to learning material.

66. The Government continues to provide social support services to students such as the provision of lunch and breakfast, through the School Feeding Programme, free transportation services to students in school uniform, provision of main textbooks and a uniform grant.

#### 5. Rights of persons with disabilities

67. Protecting the human rights of persons with disabilities remains a priority to Trinidad and Tobago. In keeping with its international obligations, Trinidad and Tobago submitted its Initial Report on the Implementation of the Convention on the Rights of Persons with Disabilities (CRPD) to the Committee, in June 2021 and is awaiting review.

68. On 4 October 2019, Trinidad and Tobago deposited its instrument of accession to the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled (Marrakesh Treaty). **The Copyright (Amendment) Act, 2020**, assented to on June 15, 2020, amended **the Copyright Act Chap. 82:80** to incorporate the provisions of the Marrakesh Treaty, thus, allowing persons who are blind, visually impaired or otherwise print disabled access to published work. Additionally, the National Library and Information System Authority (NALIS) was authorized to disseminate accessible format copies to visually impaired persons through a Memorandum of Understanding (MoU) signed between the Accessible Books Consortium (ABC) and NALIS. Visually impaired persons will now have access to an extensive library of works.

69. The National Policy on Persons with Disabilities (2007) was reviewed and revised by the Ministry of Social Development and Family Services (MSDFS). In May 2019, the revised Policy was approved by Cabinet and laid in Parliament as a White Paper. The Policy is envisaged as a foundation for the development of required legislation, and a comprehensive framework for achieving social inclusion and equality for persons with disabilities. An Inter-Agency Committee to promote and monitor the implementation of the CRPD and the National Policy on Persons with Disabilities was established in June 2020, comprising representatives from the State, NGOs and persons with disabilities.

70. The Ministry provides several programmes for the protection of human rights of persons with disabilities. The National Enrichment Centre (NEC) was re-commissioned in December 2018 to serve as a short term resource centre for persons with disabilities. The Centre was utilized to provide sensitization workshops and its computers were outfitted with software to facilitate improved computer literacy skills of visually impaired persons. Additionally, the Disabilities Affairs Unit (DAU) continues to gather data through in-house collection, utilising information from recipients of the Disability Assistance Grant to compile the National Register of Persons with Disabilities database.

71. The DAU also embarked on a new initiative in June 2019, in partnership with the Telecommunications Authority of Trinidad and Tobago (TATT), to facilitate the provision of accessible assistive mobile devices for the blind, visually impaired, deaf and hard of hearing, thus allowing the recipients to be able to send and receive information more effectively using smartphone applications that aid persons who are deaf and visually impaired.

72. The Government in efforts to improve access and freedom of movement for persons with disabilities passed the **Miscellaneous Provisions (Proceeds of Crime and Central Bank) Act, 2019**, which introduced a new polymer \$100 note on December 9, 2019 to replace

the existing \$100. This new note includes a raised tactile feature, similar to braille, which allows persons with disabilities to easily identify each note.

73. The Government continues to strive to assist persons with disabilities in obtaining both public sector and private sector employment. The Ministry of Labour jointly with the MSDFS have embarked on a project entitled “Project Enable” aimed at increasing opportunities for inclusion of persons with disabilities. Through this project Persons with disabilities will be registered with the NES in order to facilitate their employment. The project will also facilitate entrepreneurial training. Sensitisation and training of potential employers will also be conducted.

74. The Ministry of Education, through the Special Education Unit of the Student Support Services Division (SSSD) continues to ensure that children with disabilities have equitable access to education opportunities. The Unit provides support services aimed at identifying and supporting students with disabilities and other special education needs. Additionally, the SSSD has embarked on a pilot Inclusive Schools Project in primary and secondary schools, in an attempt to ensure that education remains available, accessible, acceptable and adaptable to children with disabilities.

75. The MSDFS continues to provide social services for persons with disabilities such as free bus service, Disability Assistance Grants and a new Disability Assistance Grant for Minors.

## 6. Rights of older persons

76. The Government, through the Ministry of Social Development and Family Services’ (MSDFS) Division on Ageing (DOA) remains committed to enhancing the quality of life of older persons throughout Trinidad and Tobago and to educating and sensitizing key stakeholders and the general public on ageing issues.

77. **The Homes for Older Person Act, 2007** is awaiting proclamation by the President. The MSDFS continues to make efforts to establish adequate regulations under the Act, through the collaboration of a Working Committee. In June 2019, the MSDFS engaged an Individual Consultant to undertake the development, review and finalisation of Procedural Manuals for Homeowners in keeping with the Homes for Older Persons Legislation of Trinidad and Tobago. The manuals are currently being finalised.

78. Though the Act has not yet been proclaimed, in 2020, twelve (12) inspections were conducted and sixteen (16) compliance meetings held with Homeowners who facilitated inspections at their Homes. The DOA aims to ensure that all allegations of elder abuse at facilities are investigated with four (4) inspections executed between October 2020 and January 2021.

79. The National Policy on Ageing is currently being reviewed by the MSDFS. The aim of this Policy is to promote the well-being of older persons in a sustainable manner and provide older persons with the opportunity to be integrated into the mainstream of society. A revised Draft Policy will be submitted to Cabinet for approval as a Green Paper upon completion of the internal review.

80. The DOA continues to conduct various programmes aimed at the promotion and protection of the rights of the elderly. The Community Care Programme provides social care in private Homes for the Aged for socially-displaced older persons who are medically discharged from public health institutions. The Older Persons Information Centre (OPIC) serves as a referral facility and Help Desk for information on activities, initiatives, programmes, products and services for older persons in Trinidad and Tobago. World Elder Abuse Day and International Day of Older Persons are also observed. Senior Activity Centre, Senior Citizens’ Homes and free bus and ferry services are also offered to older persons.

## 7. Cultural rights

81. Trinidad and Tobago possesses a rich cultural diversity and heritage. The Government continues to nurture cultural expression and artistic creativity. In that regard, the Ministry of Tourism, Culture and the Arts is responsible for hosting various initiatives that promote the

right to cultural expression as well as its commercial viability. These initiatives include inter alia.

#### *National Culture Policy*

82. The National Culture Policy of Trinidad and Tobago (NCPTT) was laid in Parliament as a White Paper on 2 June, 2020 by then Minister of Community Development, Culture and the Arts. The NCPTT aims to enhance cultural confidence, strengthen national identity and the sense of belonging among all social groups. The Policy also aims to support artists, entrepreneurs and industry associations in the production of high quality output; while establishing and sustaining an integrated institutional framework to support the cultural sector.

#### *The Artist Registry*

83. The National Registry of Artists and Cultural Workers creates a database of registered artists, cultural workers, organisations and festivals which allows registrants to positively benefit from various external initiatives.

#### *The Prime Minister's Best Village Trophy Competition*

84. The Prime Minister's Best Village Trophy Competition, which is under the remit of the Ministry of Sport and Community Development, is hosted annually. The Competition showcases the community spirit through the performing arts, contributes to the economic empowerment, personal growth and development of women in rural areas.

### **8. Delivery of social services**

85. The Government has consistently maintained its commitment to eradicate poverty through the implementation of social welfare policies. The Ministry of Social Development and Family Services (MSDFS) has embarked on several initiatives to provide low income earners and persons living below the poverty line with access to basic goods and services.

86. The National Social Development Programme (NSDP) is a social intervention strategy that was established to ensure that underprivileged citizens throughout the country have access in their homes to reliable and sustainable supplies of pipe-borne water, electricity and improved sanitary plumbing facilities.

87. The Biometric Smart Card System continues to be refined in order to facilitate the delivery of social services grants. The Smart Card allows clients of the Senior Citizen's Pension, Public Assistance and Disability Assistance Grants to utilize their cards to purchase food from participating merchants utilizing the biometrically enabled Point of Sales Terminals.

88. In 2017, the National Social Mitigation Plan (NSMP) 2017-2022 was approved by Cabinet as a possible psychosocial, social and economic response to help cushion the effects of economic downturn on vulnerable groups and to build the resilience of citizens in Trinidad and Tobago. The Plan focuses on strengthening the social protection system, promoting community and civil society action and enhancing productivity and innovation within both the private and public sectors through actions such as providing unemployment relief, health and wellness, education, skills training, innovation & enterprise development.

89. As part of the continuous assessment of the standard of living in Trinidad and Tobago, the Social Investigations Division in the MSDFS is currently working on the establishment of a National Socio-Economic Database aimed at creating an easily accessible socio-economic database of indicators that is reflective of the social situation in Trinidad and Tobago.

### **C. Convention on the elimination of racial discrimination**

90. The Republican Constitution 1976 enshrines the protection of fundamental rights and freedoms regardless of race, origin, colour, religion or sex. Section 14 of the Constitution

allows any person who alleges that his rights have been, are being, or are likely to be contravened, to apply to the High Court for redress and receive relief in appropriate circumstances.

91. Apart from Constitutional action, **the Equal Opportunity Act, 2000**, which establishes the Equal Opportunity Commission and the Equal Opportunity Tribunal, is the critical piece of legislation that prohibits discrimination by reason of race, ethnicity and origin (among other grounds). The Commission is mandated to receive, investigate and as far as possible, conciliate allegations of discrimination, while the Tribunal is mandated to adjudicate matters referred to it by the Commission, where conciliation has been unsuccessful or is inappropriate to resolve the matter. Unlike the Ombudsman which is concerned with actions or decisions of public authorities, the provisions of the **Equal Opportunity Act, 2000** and the jurisdiction of the Commission extends to both the public and private sectors. The Commission is empowered to enquire into matters originating from both sectors that may arise under the broad categories of employment, the provision of goods and services, education and the provision of accommodation.

92. During the period 2016-2019 the Commission received a total of 459 complaints in Trinidad and 25 complaints in Tobago. The Commission has also engaged in several public awareness campaigns relating to its mandate and the prohibition of discrimination. As a part of its mandate, the Commission jointly with the Office of the Attorney General and Ministry of Legal Affairs forms an ad hoc Committee for the purpose of reviewing proposed amendments to the **Equal Opportunity Act, 2000**.

#### D. Convention on the rights of the child

93. The protection of the rights of children remains a significant priority to the Government. In 2016, Trinidad and Tobago accepted the recommendation to abolish child marriage across all relevant pieces of legislation by raising the minimum legal age to eighteen (18) years. On the 2 October 2017, the historic proclamation of the **Miscellaneous Provisions (Marriage) Act, 2017** immediately harmonized and unified the legal age to contract to marriage in Trinidad and Tobago to eighteen (18) years for both males and females under the **Marriage Act, Chap 45:01, the Muslim Marriage and Divorce Act, Chap. 45:02, the Hindu Marriage Act, Chap. 45:03, the Orisa Marriage Act, Chap. 45:04 and the Matrimonial Proceedings and Property Act, Chap. 45:5**. Trinidad and Tobago is therefore closer to full compliance with its obligations under the United Nations Convention on the Rights of the Child. The Office of the Attorney General and Ministry of Legal Affairs held copious consultations with a wide cross section of religious groups, civil society organisations and other key stakeholders before preparing the Act.

94. The Government continues to adopt legislative strategies to protect the rights of children. On 27 February 2018, the **Family and Children Division Act 2016** was proclaimed by the President as an addition to the Package of Children's Legislation. The Act created a specialized Division of the High Court called the Family and Children Division with jurisdiction exercisable over all family matters and children matters. This separation of children matters allows for swift adjudication of matters involving juveniles, utilizing a rehabilitative and less punitive approach.

95. The Children's Authority was operationalized in 2015 to provide care, protection and rehabilitation to children that suffer abuse. The Authority has been working assiduously since its operationalization, to carry out its mandate by partnering with both government agencies and NGOs to provide mediation, psychosocial and therapeutic services. The Authority continuously trains its staff on the Convention on the Rights of the Child (CRC) and on the suite of legislation proclaimed in 2015, to aid in the care and protection of children. The Authority has also established a dedicated Child Justice Unit (CJU) to provide clinical support to the Court in relation to matters involving children who are charged with criminal offences or deemed to be Children in need of Supervision.

96. The Office of the Prime Minister, Children Affairs Division, in collaboration with UNICEF Eastern Caribbean Region, engaged in the development of a National Child Policy 2020-2030 which provides an overall framework to enhance the status and further improve

the quality of life of Trinidad and Tobago's children, while fulfilling its obligations under UNCRC and the Sustainable Development Goals (SDGs). The Policy provides for:

- A holistic view of children's needs as a basis for more effective policy development and service delivery.
- An increased opportunity for children's participation in matters.
- An effective, coordinated and targeted approach to dealing with the issues affecting the children of Trinidad and Tobago.
- Improved maximisation of resources towards addressing children issues.
- Improved monitoring and evaluation of child services to ensure that such services have the desired impact.

97. The Labour Inspectorate Unit of the Ministry continues to monitor international labour standards relating to child labour in Trinidad and Tobago, in order to detect breaches of the law relating to the minimum age of employment and child trafficking. In February 2019, Cabinet re-established the National Steering Committee for the Prevention and Elimination of Child Labour which is responsible for various activities including developing a National Action Plan for 2019-2022; and the engagement of a Consultant to conduct research on child labour. The Committee comprises key stakeholders such as the Ministry of National Security, Counter Trafficking Unit, Children's Authority, the Trinidad and Tobago Police Service Child Protection Unit, Tobago House of Assembly and non-governmental organisations which work on issues related to children. In addition, the UN convention on the Rights of the Child is considered in the formulation of policy for the reform of labour legislation.

## E. Convention on the Elimination of all forms of Discrimination against Women

98. Trinidad and Tobago has taken note of the various recommendations received during its last UPR in relation to protecting the rights of women such as the elimination of discrimination against women and the eradication of violence against women and has taken measures to implement those recommendations.

99. With respect to the recommendation to ensure adequate follow-up to the review of the Domestic Violence Act, it should be noted that on 7<sup>th</sup> July, 2020 **the Domestic Violence (Amendment) Act, 2020** was assented to by the President and provides for additional protection from domestic violence for a wider scope of persons. Further, the term "domestic relationship" was broadened to include children and adults in residential institutions. The term "relative" was also included to adapt to the cultural realities of the extended family which exists in Trinidad and Tobago.

100. **The Domestic Violence (Amendment) Act 2020** also expands the category of person who can apply for a protection order. Section 4 allows a child who is sixteen (16) years of age or older, and an adult in a residential institution to apply for Protection Orders. Additionally, the Court is now empowered to grant an Interim Order or Protection Order on the basis of a single act or omission. The Act also removes the \$15,000.00 cap on the quantum of compensation that a victim of domestic violence can receive for loss incurred as a direct result of domestic violence. The Court may now award any compensation as it deems fit.

101. In light of the Government's commitment in 2016 to establish an effective multi-sectorial response to cases of sexual and domestic violence, **the Sexual Offences (Amendment) Act, 2021**, which was passed in the Senate on 15 June 2021 creates the National Sex Offender Register and the Public Sex Offender Website. The Commissioner of Police will be responsible for the management and maintenance of the Register and corresponding website. While the Register will contain the offenders' names, addresses, photographs and offences committed, the Website will not allow the public to access the offenders' specific address but only their locality. The Register will only contain information regarding offenders who are citizens or residents of Trinidad and Tobago, convicted of registrable offences by a Court either domestically or internationally on or after 25<sup>th</sup>

September, 2000. The Register does not apply to persons who were under the age of eighteen (18) years or suffering from mental illness at the time the offence was committed.

102. The Trinidad and Tobago Police Service (TTPS) has since launched several specialized units to address the issues of domestic and sexual violence facing women and children. On 21 January, 2020, TTPS launched the Gender-based Violence Unit (GBVU) to handle cases involving gender-based violence and domestic violence, breach of protection order and rape. The GBVU can be utilized not only by victims of such crimes, but also members of the public who may have information regarding such cases. On 4 June 2020, the TTPS launched the Sexual Offences Unit, designed to treat with intimate partner violence and sexual violence in adults. The unit will offer complete protection and anonymity. Persons can utilize the TTPS mobile application to report not only domestic violence and sexual offences but all crimes.

103. The National Policy on Gender and Development was laid in Cabinet as a Green Paper in 2018. The Policy was developed by the Office of the Prime Minister Gender Affairs Division in collaboration with several government and non-governmental agencies and will serve as a framework to achieve full equality between women and men, and their equitable participation in political, economic, social, cultural and family life. A National Action Plan (NAP) will accompany the Policy and provide explicit guidelines for implementation, monitoring and evaluation.

104. In addition to its policy strategies, the Domestic Violence Unit in the Office of the Prime Minister Gender Affairs Division, continues to carry out various awareness campaigns targeting both women and men to encourage sensitization and to deconstruct the stereotyping of issues surrounding domestic violence.

## **V. Achievements and best practices**

### **Convention on the Right of Person with Disabilities**

105. Trinidad and Tobago submitted its Initial Report to the Committee on the Rights of Persons with Disabilities to the Office of the High Commissioner for Human Rights in June 2021.

### **International Covenant on Civil and Political Rights**

106. Trinidad and Tobago submitted its Fifth National Report to the United Nations Human Rights Committee utilizing the Simplified Reporting Procedure.

### **Gender Based Violence Unit**

107. The Trinidad and Tobago Police Service established the Gender Based Violence Unit to handle related cases.

## **VI. Challenges and constraints**

108. High rates of violent crime continue to negatively affect all aspects of Trinidad and Tobago society. In the 2020-2021 National Budget, the Government allocated the third highest percentage towards the fight against crime with a view to taking all means necessary to reduce criminal activity and protect the rights of persons to safety and security.

109. During the consultations with Government stakeholders, various concerns were raised regarding the availability of competing resources.

110. During the consultations with Civil Society Organisations, various concerns were raised regarding the lack of legislation to protect the rights of persons with disabilities. With

the establishment of an Inter-Ministerial Committee to oversee the implementation of the CRPD, the Government is in the process of developing policy and legislation.

## VII. Key National priorities, initiatives and commitments

111. The Trinidad and Tobago National Development Strategy 2016-2030 was the policy framework that guided the submission of the National Report for the Third Cycle of the Universal Periodic Review (UPR). It is important to note that the National Development Strategy 2016-2030 was developed in accordance with efforts towards achieving the United Nations 2030 Agenda for Sustainable Development. The priorities are as follows:

(a) **National Security:** A whole-of-government approach will be implemented as it relates to national security. All Ministries and agencies will thus share responsibility and be accountable for the security and safety of the State.

(b) **International Relations and Foreign Policy:** The most important initiatives and objectives for embassies and consulates will include promoting the interests of Trinidad and Tobago with respect to trade and investment maintaining strong contacts with diaspora and strengthening bilateral and multilateral relationships with strategic partners.

(c) **The Environment:** Environmental considerations will be placed at the heart of development so that they will guide every decision on a Governmental level.

(d) **Infrastructure:** Efficient and effective national transport, infrastructure and public utility systems. As well as a modern and well maintained ICT system.

(e) **Education:** Trinidad and Tobago will have a seamless, reformed, high quality education and training system.

(f) **Health Care:** The healthcare system will be sustainable and modern and deliver higher standards of healthcare.

(g) **Agriculture:** A strong, modern, prosperous and competitive agriculture sector with a view to improving the nation's food security.

(h) **Housing:** Citizens will have access to adequate and affordable housing. This initiative is fortified by new home subsidies and a subsidised mortgage rate.

(i) **Tourism, Arts and Culture:** Promoting and encouraging commercial viability and commercial vision in creative enterprises and cultural practitioners.

(j) **Rural Development:** The Ministry of Rural Development and Local Government is responsible for the development and implementation of policies to improve the well-being of persons living in rural communities. Through the Municipal Corporations, the Ministry can directly supply citizens with goods and services to improve their standards of living.

(k) **Small Business Development and Entrepreneurship:** The Government is committed to the provision of financial, technical, marketing and business development assistance to small and micro enterprises to ensure growth.

(l) **Social Sector Programmes:** The Government is committed to the implementation of policies to engender radical, social change in a way that all groups will benefit through the creation of a more harmonious society.

(m) **Youth Development:** Promoting and encouraging the participation of the youth in all aspects of sustainable development of Trinidad and Tobago, while fostering a greater understanding of the needs of young people and providing guidelines for youth development.

(n) **Sport:** The Government is promoting sports as a way to curb crime and build social skills, and reduce the high incidence of chronic lifestyle diseases amongst different communities, races, creeds in Trinidad and Tobago. This would in turn serve to increase the pool of talent from which world champions can emerge for international recognition.

(o) **Disabilities:** A national review of all programmes and services directed to the disability sector to determine what is available and where the gaps are in the system prior to embarking on any new initiatives.

(p) **Gender Affairs:** The Government is committed to the establishment of gender equality through the development of strategies that are more equitable by considering the different needs, constraints, opportunities and priorities of men and women.

## **VIII. Expectations of the State**

112. In light of the recommendations received and accepted at Trinidad and Tobago's Universal Periodic Review in 2016, the Government has undertaken as far as possible to implement the recommendations it accepted and the Third National Report reflects its efforts. To that end, the Government welcomes the consideration of the present Report by the Human Rights Council and remains committed to consistently improving the situation of human rights in Trinidad and Tobago.

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