

Trinidad and Tobago 2016 UPR: Joint Submission from the United Nations Country Team for Trinidad and Tobago

I. Background and framework

A. Scope of international obligations

The United Nations Country Team for Trinidad and Tobago (“UNCT”) notes that during the 2011 Universal Periodic Review of Trinidad and Tobago (“2011 UPR”) the country received numerous recommendations to ratify or accede to various international human rights treaties. Trinidad and Tobago (“Trinidad” or “T&T”) has ratified/acceded to many of the core international human rights treaties including, most recently, the Convention on the Rights of Persons with Disabilities. However, Trinidad has made reservations with respect to certain provisions of these instruments and has not ratified any of the Optional Protocols.

With regard to regional human rights mechanisms, Trinidad does not recognize the jurisdiction of the Inter-American Court of Human Rights to hear individual petitions.

Recommendations to the Government:

- Consistent with the recommendations issued in the 2011 UPR, the UNCT encourages Trinidad to accede to all core UN human rights instruments as soon as possible.

B. Constitutional and legislative framework

- Trinidad is a parliamentary democracy modeled on the British Westminster system and observes the principle of the separation of powers. The Government consists of the Executive, the Legislature and the Judiciary. The Constitution recognizes and guarantees the protection of the fundamental rights and freedoms of T&T citizens consistent with the principles of the ICCPR. Trinidad has a Republican Constitution, which establishes the Office of the President as Head of State. The Presidency is an independent Office, which plays no part in party politics. Whereas the President is the Head of State, the Prime Minister is the Head of Government.
- In May 2015 Trinidad proclaimed **The Children Act 2012, the Children’s Authority Act 2000** and **the Children’s Community Residences, Foster Care and Nurseries Act**.
- In January 2013, Trinidad proclaimed the **Trafficking in Persons Act 2011** which criminalizes human trafficking and creates very specific protection for women and children who are victims.
- **The Legal Aid and Advice (Amendment) Act, 2012**, provides legal aid services to indigent persons and to those who cannot afford exorbitant private legal fees/representation.
- **The Administration of Justice (Deoxyribonucleic Acid) Act 2012**, allows for the mandatory sampling of certain categories of accused persons and offenders and the keeping of DNA record, was partially proclaimed in August of 2012.

- **The Constitutional Amendment Bill 2014 and 2015** have lapsed.

C. Institutional and human rights infrastructure and policy measures

- During its 2011 UPR, Trinidad “noted” recommendations to establish an NHRI in compliance with the Paris Principles, as well as for the Office of the Ombudsman to be accredited under the same principles. While Trinidad does have an Ombudsman, it is mandated to investigate cases of administrative injustice only and it is not an ICC accredited institution.
- The International Law and Human Rights Unit within the Ministry of the Attorney General has a mandate to fulfil the country’s human rights reporting obligations. It also has the responsibility of liaising with international organizations in relation to human rights matters.
- A “Human Rights Desk”, a non-governmental entity, was established in 2006 as a regional project of the Caribbean Regional Network of People Living with HIV/AIDS. This Desk no longer exists.

Recommendations to the Government:

- Promote accountability systems for results as well as allocation of resources among institutions involved in the implementation of human rights related plans and policies.
- Re-establish Human Rights Desk with strengthened capacity and official links to the Office of the Ombudsman.

II. Cooperation with human rights mechanisms

A. Cooperation with treaty bodies

- With the support of UN Women, in 2015 Trinidad submitted its 4th to 7th Periodic State Report to the Committee on the Elimination of Discrimination against Women.
- UNICEF continues to monitor the preparation of the overdue report to the Committee on the Rights of the Child and has been advocating for its completion and submission.

C. Cooperation with the Office of the High Commissioner for Human Rights

- The UNCT notes that the Government of Trinidad and Tobago (“GOVRTT”) demonstrated its commitment to the UPR process through its submission of a midterm report to the Human Rights Council in 2015.
- To date, the GOVRTT has had limited engagement with the OHCHR with regard to seeking technical assistance in meeting its international human rights obligations or facilitating human rights training and education.

III. Implementation of international human rights obligations, taking into account applicable international humanitarian law

A. Equality and non-discrimination

Gender equality and women's rights

- The Constitution prohibits discrimination on the basis of sex, and speaks specifically to the right of the individual to equal treatment under and protection by the law, as well as from any public authority. However, the Constitution does not have a section that expands on equality and specially gender equality under the law. The **Equality Opportunity Act, 2000**, prohibits discrimination on the basis of status, which includes sex and marital status as one of among seven bases upon which discrimination is prohibited. However the act explicitly excludes sexual preference and orientation and does not explicitly reference gender equality.
- Before September of 2015, **the Ministry of Gender, Youth, and Child Development** had primary responsibility for protecting women's rights and advancement, and it sponsored income generation workshops for unemployed single mothers and nontraditional skills training for women. After the 2015 general election, the GOVRTT chose to split and decommission the Ministry of Gender, Youth & Child Development. The Gender Unit was merged into a new **Ministry of Social Development and Family Services**.
- The draft **National Gender Policy**, which has been pending for almost 15 years, is yet to be implemented. Cabinet twice deferred action on an omnibus national gender policy, which had been the subject of considerable consultation and resources, and intended to achieve domestication of CEDAW. Issues primarily related to sexual orientation and abortion have prevented the GOVRTT from passing the gender policy.
- A draft version of the **2012 National Policy on Gender and Development** has not yet been adopted.
- There is systematic lack of sex disaggregated data in the English-speaking Caribbean, including Trinidad. However, efforts have been made on the part of GOVRTT, academia and civil-society to provide updated gender analyses.
- Domestic violence is an endemic problem in Trinidad. Episodes of gender-based violence ("GBV") are published daily in the local newspapers. Sexual and gender-based violence, in particular domestic violence and incest, is an ongoing challenge. Figures provided by the Crime and Problem Analysis (CAPA) Unit of Trinidad and Tobago Police Service (TTPS) indicated that from 2004 to 2014, the police received 15,312 reports of domestic violence. Between 1991 and 2014, there were 125,166 applications for protection filed in magistrates' courts. This represented a rate of just over 10,000 applications a year.
- In addition, reported instances of crimes related to sexual assault and domestic violence increased from 551 in 2013 to 825 in 2014.
- Although significant gains have been made in Trinidad regarding legislative reform relating to violence against women, legal gaps and challenges remain regarding operationalization of the laws and barriers to women's ability to access justice. For example, the domestic violence legislation emphasizes protection and not punishment. The **Domestic Violence Act, 1999** does not give the police powers of arrest without warrant upon receipt of a complaint of a domestic violence offence.

Also, the process of obtaining a protection order continues to be difficult for many women. Civil society actors working in the area of gender-based violence also report that the legislative framework addressing domestic and sexual violence is not adequately implemented or enforced.

- The GOVRTT continues to implement a number of efforts in favour of prevention, punishment and eradication of all forms of violence against women. The GOVRTT and civil society have supported increased sensitization on the **Domestic Violence Act, 1999** which provides protection orders for victims, as well as penalties, fines and possible imprisonment for breaches of the Protection Order. Revision of this act is currently ongoing under the Ministry of Social Planning and Family Services. The GOVRTT also financed the **State Accountability Framework Initiative** which, with collaboration with UN Women, UNFPA and other UN agencies, involves the mapping of programmes/policies and the development of a strategic framework to address sexual and gender based violence in Trinidad.
- Programmes and policies to support ending violence against women have been implemented across T&T. A multi-sectoral **Committee on Domestic Violence** produced a **Procedural Manual for Police Officers and a Report** including comprehensive recommendations for addressing domestic violence. The Procedures Manual was approved by Cabinet. Also, the **National Domestic Violence Unit of the Gender Affairs Division** of the former Ministry of Gender, Youth and Child Development, operates a Hotline 24 hours, seven days a week and receives approximately 30,000 calls annually. NGOs supported by the GOVRTT provide eleven shelters for female victims of domestic violence and a rape crisis centre. Counselling services, support groups and resource facilities are also available within communities to assist in the prevention and treatment of domestic violence.
- In 2013 the Tobago House of Assembly partnered with the Global Centre for Behavioural Health (GCBH) USA, in hosting the **1st Caribbean Conference on Domestic Violence and Gender Equality: Breaking the Silence**. The conference brought together technical experts and stakeholders from several countries, including Trinidad, and facilitated critical conversations about strengthening prevention strategies and responses to GBV.
- Also in Tobago, the **Division of Health and Social Services** implements prevention strategy workshops to empower women. This incorporates better services for women surviving violence, such as hotlines, shelters, legal advice, access to justice, counselling, police protection, and health services. The Division pursues more accurate reporting rates and better data collection.
- There are no laws that specifically prohibit sexual harassment. Although related statutes could be used to prosecute perpetrators of sexual harassment, and some trade unions incorporated anti-harassment provisions in their contracts, both the GOVRTT and NGOs suspect that many incidents of sexual harassment go unreported.
- Women continue to experience inequality in the labour market, with higher unemployment levels than men despite educational advancements, suffer substantial pay inequity for equivalently qualified men and women in the same job and industry categories of work and are segmented in the lowest paying jobs.

- In T&T the unemployment rate was 3.7% in the first quarter of 2013, which is the lowest unemployment rate ever recorded in T&T. During this time, although women still had a higher rate of unemployment than men, the unemployment levels for women decreased at a slightly faster rate. While this was positive, many of the jobs women gained were temporary, so when the economy began to contract in 2014 -2015 the Central Bank of Trinidad and Tobago noted that the majority of persons leaving the labour force were females (9,100 persons) who were previously employed under temporary arrangements.
- After the last election cycle, women represent 29.16% of elected parliamentarians. There are 9 women out of the current 23 members.

Recommendations:

- Complete the review of the draft **National Gender Policy** to submit to Cabinet for approval as soon as possible.
- Either adopt the 2012 version of the National Policy and Gender Development or revisit via a consultative process the 2009 document which is less progressive on human rights issues (particularly LGBT and abortion).
- Strengthen all plans and policies to eradicate violence against women, taking into account factors that increase inequality and discrimination.
- Engage in public education initiatives to improve critical understanding of gender based violence, domestic violence, sexual harassment, rape, and child sexual abuse, including the legal rights and implications, and access to redress and support services.
- Ensure adequate and efficient coordination mechanisms are in place to ensure effective multi-sectoral response to sexual and domestic violence.
- Establish the systematic collection of sex disaggregated data, as per the UN agreement on the Global Set of Minimum Gender Indicators, to identify, measure and track gender equality in Trinidad and Tobago.
- Reform the **Sexual Offences Act** to allow for the introduction of a National Sex Offenders' Registry.
- Implement legislation and policies to address sexual harassment in the workplace and in public life.
- Promote more gender responsive programmes to engage men and boys in ending violence against women and girls initiatives using a gender justice approach.
- Amend the Domestic Violence Act to ensure punishment as well as protection.
- Introduce legislation to provide incentives to political parties that implement temporary special measures to promote gender parity in the list of candidates for parliamentary and local government elections and senatorial appointments.

The rights of children

- The GOVRTT has taken steps to improve the state of child protection. In May 2015, it proclaimed the **Children's Authority Act; Children's Community Residences, Foster Care and**

Nurseries Act, 2000; Children Act, 2012; and Adoption of Children Act, 2000. While this legislation represents a strong step forward, more needs to be done to give full effect to this package of children's legislation.

- The Children's Authority, mandated to implement the Children's Authority Act, has a core complement of staff, is operational and has the power to intervene in the best interests of children that are in need of care and protection. An issue of prevailing concern is that under the 2000 Sexual Offences Act, the legislation requires teachers, health care providers and parents to report knowledge of sexual activity amongst minors (under the age of 18). This may discourage young people from accessing sexual and reproductive health services. Health care providers are also reluctant to provide services as they know they will have an obligation to report.
- In Trinidad marriage of girls as young as 12 and boys at 14 is permitted. The Children Act provides exemptions from criminalization for sexual offences against minors by the spouses of minors. The new legislation decriminalizes non-coercive sexuality between minors close in age in non-familial or custodial relationships. However, it explicitly withheld this decriminalization provision when children are of the same sex. This makes non-coercive sexual activity between minors of the same sex subject to life imprisonment, regardless of their ages.
- There are more than 2,500 teenage pregnancies reported annually in Trinidad. According to the former Minister of Health, most of the teenagers become pregnant from fathers who are between the ages of 25-40 and some mothers are below the ages of 12.
- The GOVRTT is currently developing a comprehensive **National Child Policy** which will provide long-term guidance and set the framework to provide adequate legislation, interventions and infrastructure that affect the safety, wellbeing and development of all children.
- The GOVRTT, with the support of numerous stakeholders, launched the **Break the Silence** campaign which is a project that seeks to break the silence on the taboo subject of child sexual abuse.
- Under the newly proclaimed **Children Act, 2012**, corporal punishment is lawful in the home but is no longer lawful in schools, state institutions or as a criminal sentence. It is however still widely practiced in schools, without any significant consequence. Enforcement of this is therefore a challenge.
- The age of criminal responsibility in Trinidad is effectively seven years old. Although the GOVRTT has recognized that this is a specific human rights issue which must be addressed, the Children Act fails to repeal legislation.
- Some juvenile offenders are separated from adult inmates and are placed in separate institutions. Options include: The St. Jude's Home for Girls, the St. Michael's Home for Boys as well as the Youth Training Centre for boys. However, both civil society actors and UNICEF note that there have been cases where juveniles, especially juvenile females, were sent to the adult prisons primarily due to capacity constraints.
- UNDP is currently working with the **Children's Authority** to establish facilities for girls and boys who come into conflict with the law and require institutionalization.

- There are currently inadequate monitoring procedures of the treatment of children placed in institutions under the authority of the state such as juvenile detention centers, orphanages, foster care and adoption living arrangements. The new Children's Authority is charged with establishing standards for all child institutions and monitoring their compliance.
- The T&T judiciary, in partnership with UNDP and the National Centre for State Courts, launched the **Juvenile Court Project**. The objective of the project is to strengthen the capacity of the judiciary to deal with juvenile justice matters using a rehabilitative and less retributive approach.
- The GOVRTT, along with UNDP, is currently drafting a **Family and Children Division Bill** to address the legislative gaps in the justice system on the treatment of children.

Recommendations:

- Ratify the **Optional Protocols to the Convention on the Rights of the Child**.
- Abolish child marriage and implement comprehensive sexuality education in schools. Access to sexual and reproductive health education and services should also be provided for young people to avoid early pregnancy.
- Reconcile the **Marriage Act, Muslim Marriage and Divorce Act, Hindu Marriage Act, and the Orisa Marriage Act**, so that minimum age of marriage for both girls and boys is in line with definition of the age of the child as outlined in the CRC.
- Establish protocols for the periodic review of the treatment and the circumstances of children who have been placed by the authorities, for the purpose of care, protection or treatment of their health, in state and/or private facilities.
- Introduce in schools comprehensive sex education that is age appropriate, gender responsive and life-skills based, with the view to addressing teen pregnancy and positive relationships between young women and men of school age.
- Establish a facility to house young female offenders.

Discrimination, violence and stigma against persons living with HIV/AIDS, lesbian, gay, bisexual, transgender and intersex persons

- **The Sexual Offences Act** criminalizes sexual relations between consenting individuals of the same sex. The law barring homosexuals from immigrating to Trinidad is also still in effect, although not enforced.
- UNFPA supports the training and sensitization of health care providers who work with the most at risk populations, including the LGBT community and sex workers, as a means of building capacity to meet their needs, and to reduce stigma and discrimination in the health care environment so as to facilitate universal access to services.
- **The Equal Opportunity Act, 2000** does not explicitly ban discrimination based on sexual orientation, gender or HIV status. The lack of legal protection supports an environment of stigma and discrimination against persons perceived to be HIV positive and towards members of the LGBT community limiting uptake of essential public health services.

- The GOVRTT has not indicated any intention to remove laws that criminalize same sex relationships. However, some government representatives are taking a human rights approach to ensuring that all citizens have access to public services regardless of their sexual orientation.
- Civil society & stakeholders have reported that the LGBT community is sometimes subject to forced marriages and corrective rapes.

B. Right to life, liberty and security of the person

- Although 2014 police crime statistics show a decrease in overall serious criminal activity, violent crime remains a major concern. The majority of violent crimes (homicides, kidnappings, assaults, sexual assaults) are attributed to the influence of gangs, illegal narcotics, and firearms (approximately 100 criminal gangs have been identified in T&T). Not all crimes are reported. There are also instances in where crimes are reported, but not documented. Approximately 23% of reported crimes result in an arrest.
- The US Department of State's 2015 Trafficking in Persons (TIP) Report, T&T is a destination, transit, and possible source country for adults and children subjected to sex trafficking and forced labor. T&T received a Tier 2 ranking indicating that T&T has not fully complied "with the minimum standards for the elimination of trafficking."
- In January 2013, Trinidad proclaimed the **Trafficking in Persons Act, 2011** which is intended to improve prosecution of trafficking offenders and the protections for victims of forced labor and sex trafficking. Human trafficking in T&T is particularly relevant to the sex industry where primarily Latin American women are being brought into the country to work in the sex industry. In September & October 2015, police conducted two raids on illegal brothels which uncovered two human trafficking rings. The victims, including 22 women from the Dominican Republic, were rescued and taken into government care while investigations continue.
- The **Counter Trafficking Unit** in the Ministry of National Security has partnered with IOM to provide training/sensitizations on human trafficking for a number of government ministries and agencies as well as engaging in public awareness activities such as community outreach initiatives as well as public service announcements via radio, television and YouTube.
- With regard to the death penalty, in his opening address for the 2015/2016 law term, the Chief Justice stated that there is currently an unofficial moratorium on the death penalty in Trinidad. He indicated that, although the ultimate fate of the death penalty should be left to the legislature and the people of the T&T, practical difficulties relating to process and capacity make it unlikely that the sentence will be implemented again.
- The death penalty continues to be a mandatory sentence for murder and death sentences. By the end of 2012 there were 36 prisoners under the sentence of death and, according to the opening speech of Chief Justice this year, over the past few years the number of persons awaiting trial for murder has risen to 514. No executions have taken place since 1999. The 2013 report of the Constitution Reform Commission recommended the retention of the death penalty.

Recommendations:

- Increase capacity building efforts in human trafficking by extending training and sensitization programs to other law enforcement agencies outside the TTPS.
- Introduce human trafficking modules into law enforcement training academy.

C. Administration of justice, including impunity, and the rule of law

- One of the more serious human rights challenges were police killings during apprehension or in custody and poor treatment of suspects, detainees, and prisoners. Other human rights problems involved inmate illnesses and injuries due to poor prison conditions and high-profile cases of alleged bribery.
- The U.S. State Department identifies killings by police during apprehension and the mistreatment of suspects, detainees, and prisoners as major human rights concerns for T&T. In 2014, 42 persons were shot and killed by police. There have been consistent and significant discrepancies between the official reporting of shooting incidents and the claims made by community witnesses.
- In August 2014 the army's Defence Force Reserves were called to assist with street patrolling until January 2015, despite serious concerns that the force was not trained to carry out these duties.
- In May 2014, prosecutor and senior attorney Dana Seetahal was murdered by a group of men who were arrested in September 2015. It is suspected that her murder was an assassination given the nature of her high-profile cases which included the kidnapping and murder of a businesswoman.
- Law enforcement and civil society report that some police and immigration officers facilitated trafficking in the country, with some law enforcement officials directly exploiting victims. Anti-trafficking activists reported some police officers had ties to sex trade establishments, which is likely to inhibit law enforcement's willingness to investigate allegations of trafficking in the sex trade.
- While the GOVRTT has previously demonstrated a willingness to investigate and sanction public security officials who were involved in human rights violations, allegations of the abuse of sex workers and undocumented migrants suggest impunity and indicates that access to justice for these vulnerable groups is questionable.
- A **Victims and Witness Support Unit** was established within the TTPS as part of reforms aimed at bridging the gap between the police and the victims and witness of crimes. The unit is also intended to address issues of sexual and gender based violence. The UNCT commends the work of the unit and notes that it has resulted in increased reporting in the communities where interventions are conducted.
- **Severe case backlog** is one of the institutional deficiencies of the T&T judicial system. According to the US State Department Human Rights report, pre-trial detainees or remand prisoners represented approximately 50% of the prison population. Most persons under indictment waited between six to ten years for their trial dates in the High Court. Officials cited several reasons for the backlog, including an understaffed and underfunded prosecutorial office, a shortage of defence attorneys for indigent persons, and the burden of the preliminary inquiry process. However, the Chief Justice recently announced that the new **Criminal Case Management Rules**, which will go into effect in 2016, would facilitate early disposal of preliminary issues, impose stricter timelines and also impose a positive obligation on all parties to assist in progressing cases in accordance with the overriding objective of dealing with cases justly and expeditiously.

Recommendations to Government:

- Prioritize investigation and sanctions of public security officials in cases of human rights violations
- Conduct sensitisation sessions with all law enforcement officers on human rights issues in Trinidad.

D. Right to work and to just and favourable conditions of work

- The **Equal Opportunity Act, 2000**, contains no specific provisions regarding equal remuneration for men and women for work of equal value. In 2007 women earned 80.3% of men's monthly income (average and median), and that the gender wage gap had been highest in the occupational group of service and sales workers (47%) and legislators, senior officials and managers (39.4%).
- There are discriminatory provisions in several government regulations, such as those requiring that married female officers might have their employment terminated if family obligations affected their efficient performance of duties.
- The **Equal Opportunity Commission**, established under **the Equal Opportunity Act, 2000** has suggested amending the legislation. The GOVRTT has indicated that **the Equal Opportunity (Amendment) (No. 2) Bill, 2011**, has been drafted and is being reviewed by the Law Review Commission.
- With regard to the worst forms of child labour, the GOVRTT has indicated that it is consulting with the social partners on the list of occupations deemed hazardous to children under the age of 18. However, these consultations have been ongoing since 2004 and the list is not yet updated.
- The current **Industrial Relations Act, 1972** ("IRA") contains a number of antiquated provisions relating to collective bargaining, in particular those related to the right to strike and take industrial action and negotiation by minority unions in the absence of majority unions. The GOVRTT indicates that an advisory committee was appointed in February 2012 to review the IRA and to propose specific amendments to this legislation.
- Both the current **Shipping Act, 1987** and the **Trade Disputes and Protection of Property Act** allow for imprisonment as a sanction if an employee engages in "breaches of labour discipline" or "wilful and maliciously breaks a contract of service."

Recommendations:

- Ratify **ILO Convention 189** to promote domestic workers' rights.
- Take steps to give full legislative expression to the principle of equal remuneration for men and women for work of equal value.
- Amend or repeal the **Industrial Relations Act**.

H. Right to social security and to an adequate standard of living

- According to the Household and Budgetary Survey for 2011, the poverty level stands at 21.8%.
- The Ministry of Social Development and Family Services is mandated with responsibility of addressing the social challenges of poverty, social inequality and social exclusion. The Ministry

conducted the **Survey of Living Conditions** in 2014/2015 to assess the situation of poverty in Trinidad which would contribute to future programme and policy planning for poverty eradication. The government is working to combat poverty through the provision of various social programmes including, but not limited to, the **Poverty Reduction Programme**, the **Public Assistance Grant**, **Disability Assistance Grant**, **General Assistance Grant** and the **Targeted Conditional Cash Transfer Programme**.

- Many women who have little access to economic resources perceive the **Public Assistance Program** as offering an alternative pathway for child support and some measure of economic stability.
- The GOVRTT conducted a **Population Situation Analysis** which identifies those most vulnerable in society, including the poor. Based on this analysis, Cabinet approved a **Population Policy** and a **Population Council** has been proposed. The Council would be responsible for monitoring population data to address inequality in the society.

Recommendations:

- Introduce a social safety net floor which allows for the specific needs of families with children who are most vulnerable to benefit from social security.

I. Right to health

- According PAHO, between the years 2010 to 2013, maternal mortality rates rose 40% from 46 per 100,000 births in 2010 to 64 in 2013.
- In July 2015, according to several media reports, the former Health Minister announced that one of the explicit goals of introduction of a new national health card was to make it harder for migrants to access HIV care and services. In September 2015, following a change in government, the new Health Minister promised to review this policy and indicated that anyone can go to any health care facility and receive treatment.
- Although abortion is legal in T&T to preserve the health and life of the woman, many women are uninformed and unsure of their rights. Civil society organizations indicate that there is a vital need for appropriate public awareness campaigns as a way to combat belief that abortions are absolutely illegal in T&T (this misconception often leads to alternative solutions to fulfil abortions which put pregnant women's lives at risk).
- With the support of the UNFPA and PAHO, the GOVRTT has drafted a **Sexual and Reproductive Health Policy** and has committed to the establishment of a **Women's Health Unit** in the Ministry.
- The new Minister of Education, who took office in September 2015, has stated that efforts to provide sexual education and health services for school-age children must be coupled with "religious education to form a part of the curriculum in all our schools. Sex education is something we need to discuss and we feel it is the responsibility of the parent to educate his or her child with respect to their sexual well-being."

- The Ministry of Health has not placed essential medicines as a priority on the national agenda. As such, there are consistently stock-outs of penicillin, contraceptives, HIV testing kits and other items.
- Coordination around HIV/AIDS has declined and Trinidad is the only Caribbean country to observe an increase in persons with HIV/AIDS over the last four years. UNAIDS estimated that 14,000 persons in Trinidad were living with HIV in 2013.

Recommendations to Government:

- Revise or implement policies and protocols governing provision of reproductive health services to young persons, including young women, to ensure provision of contraceptive and other sexual and reproductive health services. Policies and protocols should be accompanied by educational programmes for health care providers.
- Conduct a complete study regarding ascertaining the incidences and causes of abortion related deaths in T&T.
- Reform the **Offences Against the Person Act** and implement common law which provides for safe and legal abortion services for women and girls.
- Continue to strengthen current efforts to increase the accessibility and quality of health services and education for all its citizens.
- Upgrade quality of care in child and maternal health services to diminish infant and child mortality and neonatal mortality.
- Introduce medical and public health interventions that are timely and appropriate for mothers who are pregnant, especially those who have expressed a need to manage NCDs.
- Review the use of the PAHO Strategic Fund to obtain medications at a lower price that currently procured through national procurement mechanisms.

L. Persons with Disabilities

- UNDP reports that, according to the 2011 Trinidad and Tobago Population and Housing Census, there are approximately 52,244 persons living with a disability (PWDs), which is equivalent to 4% of the total population of 1,328,019. Of this total, 96.5% resides in Trinidad & Tobago and 3.5% in Tobago. With regard to children with disabilities (CWDs), the data indicates that 3,302 persons between the ages of 0 — 17 have some type of disability.
- PWDs in T&T have not had, and continue to be deprived of, the opportunity to participate fully in society due to physical and social barriers. Persons with disabilities in Trinidad face discrimination and denial of opportunities, such as: architectural barriers; employers' reluctance to make necessary accommodations that would enable otherwise qualified persons living with disabilities to work; an absence of support services to assist children with disabilities; lowered expectations of the abilities of persons with disabilities; and condescending attitudes and disrespect towards persons with disabilities.

- With the new Government in place, **the Disability Unit**, under the Ministry of Social Development and Family Services, is working on several projects including **new legislation, a National Register and disability sensitization workshops**.
- Although the law prohibits discrimination on the basis of disability, it does not mandate equal access for persons with disabilities to the political process, employment, education, transportation, housing, health care, or other citizen services.
- The GOVRTT is currently reviewing the yet been implemented **2006 National Policy on Persons with Disabilities**. This policy includes initiatives to strengthen services for children with disabilities, support their families, train professionals in the field and encourage the inclusion of children with disabilities into regular educational system and their integration into society.
- The UNCT notes that Trinidad’s **Immigration Act, 1969** prohibits entry to “persons who are idiots, imbeciles, feeble-minded persons, persons suffering from dementia and insane persons, and who are likely to be a charge on public funds” and “persons who are dumb, blind or otherwise physically defective, or physically handicapped, which might endanger their ability to earn a livelihood, or render them likely to become charges on public funds”. The Act also prohibits entry to persons afflicted with any infectious or dangerous infectious disease.

Recommendations to Government:

- Review and revise domestic legislation and policies to reflect the provisions and principles of the Convention on the Rights of Persons with Disabilities.
- Finalize and fully implement the updated National Policy on Person with Disabilities.
- Develop a national register of persons with disabilities.
- Increase public awareness initiatives regarding the rights of persons living with disabilities and the CRPD.
- Conduct sensitization sessions to raise public awareness about the challenges faced by PWDs.

N. Migrants, refugees and asylum seekers

- There remains a clear lack of oversight with regard to the protection of migrant rights: Lengthy administrative detention stays, costly deportation, accusations of discrimination against certain foreign nationalities, unfavourable detention center conditions, allegations of ill-treatment and abuse against detainees, migrants detainees held in prisons, including asylum seekers and refugees, lack of access to places of detention by NGOs and a substantial amount of undocumented migrants.

Recommendations:

- Conduct a migration profile
- Develop a comprehensive migration policy
- Reduce detention periods for migrants
- Build capacity in migrant rights and human rights